

URBAN/MUNICIPAL
CA40N HBL AOS
CSIT6
1993-

AGENDAS / MINUTES OF THE
TRANSPORT AND ENVIRONMENT

APRIL 5, 1993-

URBAN/MUNICIPAL

CA40N HBL A05
CSIT6
1993

OFFICE OF THE CITY CLERK

The Urban Municipal Collection
2nd Floor
Hamilton Public Library

1993 April 2

URBAN MUNICI

APR - 1993

GOVERNMENT DOCUMENTS

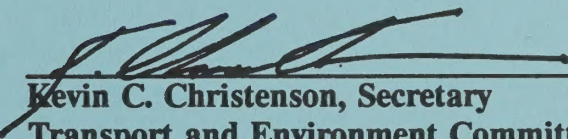
NOTICE OF MEETING

TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, 1993 April 5

****9:00 o'clock a.m.****

Room 233, City Hall


Kevin C. Christenson, Secretary
Transport and Environment Committee

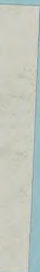
NOTE: Please note that the regular meeting time of 9:30 o'clock a.m. has been rescheduled to 9:00 o'clock a.m. for this meeting.

AGENDA

1. DELEGATIONS (9:30 o'clock a.m.)

- (a) Application to Close Alleyways on 139 Glenfern Avenue
Mr. J. Richard Lees





- (b) Sale of the Closed Portion of an Alley Between Elgin Street and Ferguson Avenue North and from Cannon Street Southerly to Kelly Street
- (c) Sale of the Closed Portion of Limeridge Road West at Garth Street
- (d) To Stop-up, Close and Retain the Portion Tom Street from Breadalbane Street to 40 m Westerly
- (e) Reconstruction of Portions of Mount Albion Road from approximately 90 m north of Albright Road to approximately 110 m south of Albright Road
- (f) Reconstruction of Sanders Boulevard from West Park Avenue to Norfolk Street

2. CONSENT AGENDA

3. CITY CLERK

- (a) 1993 Reconstruction Programme for Roads and Sidewalks
- (b) Availability of Disabled Parking at No. 1 Hunter Street East
- (c) Policies for the Safe Storage, Transfer and Destruction of PCB Wastes - City of Burlington - Request for Endorsement
- (d) Proposed Northern Ontario Solid Waste Management System Project at the Former Adams Mine Site - City of Toronto - Request for Endorsement
- (e) Rail Line - Town of Lindsay - Request for Endorsement
- (f) Proposed Seaway Transitional Western Grain Transportation Act (W.G.T.A.) Offset Programme - Request for Support
- (g) Voyageur Colonial Complaint to National Transportation Agency (N.T.A.) concerning VIA Rail's Discount Fares - Transport 2000 Canada - Request for Support

4. **DIRECTOR OF TRAFFIC SERVICES**

Deletion of Nash Road, Barton Street to King Street from the Truck Route System (TEC-56-93)

5. **MANAGER OF PURCHASING**

- (a) Supply and Delivery of Traffic Paint during 1993
- (b) Removal of Pavement Markings, Traffic Department

6. **COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES**

CP Rail Overhead Bridges on Pearl, Poulette and Ray Streets

7. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Windermere Basin Rehabilitation Project Status Update

8. **ALDERMAN T. COOKE**

Martin-Stewart Contracting Limited
Ronald McDonald House
Main Street West - Estimate from Public Works - Curb Installation

9. **OTHER BUSINESS**

10. **ADJOURNMENT**

**Transport and Environment Committee
Outstanding Items**

Item No.	Items	Original Date	Action	Status
1.	Criteria and report of School Crossing Guards	1992 January 6	Director of Traffic Services	Comprehensive Report Pending
2.	Part-time Turn Prohibition James Mountain Road to Markland Street	1992 February 3	Director of Traffic Services	Report Pending Public Meeting
3.	Corner Clearances - Intersection of Marion Avenue South and South Oval	1992 August 17	Director of Traffic Services	Report Pending May 1993
4.	Intersection of Flatt Avenue and Glenside Avenue	1992 August 17	Ald. M. Kiss	Tabled
5.	Intersection of Franklin Avenue and Longwood Road North	1992 August 17	Ald. M. Kiss	Tabled
6.	Four-way Stop Control - Intersection of Broker Drive and Brentwood Drive	1992 October 19	Director of Traffic Services	Report Pending May 1993
7.	Reserved Parking for Physically Disabled	1992 Nov. 2	C.A.O.	Prepare Report
8.	Bay Street Closure	1992 Nov. 30	Director of Traffic Services	Prepare Report
9.	Intersection of Goulding Ave. and San Pedro Drive Intersection/Corner Clearance	1993 February 1	Ald. F. D'Amico	Delegation - May, 1993
10.	Downsizing Sanitation Crews from Three Men to Two Men	1993 March 1	C.A.O. Director of Public Works Commissioner of Human Resources	Prepare Feasibility Study
11.	Merging Fleet Services Function	1993 March 1	C.A.O. Director of Public Works	Prepare Report on Organizational Structure

Kevin C. Christenson, Secretary
1993 April 2

J. Richard Lees REAL ESTATE LTD.

2 Ray Street South, Hamilton, Ontario L8P 3

1(a)

RECEIVED

MAR 24 1993

March 24 1993

Kevin C Christenson
Legislative Assistant
City of Hamilton

CITY CLERKS

Secretary of Transport and Environment Committee

Re: Application to close alleyways on 139 Glenfern Avenue.

Dear Mr Christenson:

Further to our discussion regarding the application to close the alleyways at 139 Glenfern Avenue, would you please schedule a committee hearing that will include me as the agent for Mr Sam Rosenblatt the property owner, and advise me of the date.

There was an error somewhere in the system that excluded my name for notification of the last committee meeting in which this application was heard. Consequently, I was unable to represent Mr Rosenblatt.

Thank you.

Sincerely,

J RICHARD LEES (agent for Mr Sam Rosenblatt)

J Richard Lees

JRL/me

C.C. Mr Henry Merling

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 February 18
T103-03 (300) J. K. Clairmont

REPORT TO: K. C. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director
Roads Department

SUBJECT: Proposed Alleyway Closure:
Glenfern Avenue (R-93-16)


RECEIVED

FEB 18 1993

CITY CLERKS

RECOMMENDATION:

That the application of R. Lees, agent for the owner of 139 Glenfern Avenue, to close the north/south alleyway from Glenfern Avenue to the east/west alleyway, be denied.



E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Should the Committee decide to approve this request, the following recommendations should apply:

- a) That the Commissioner of The Transportation/Environmental Services Group be directed to prepare a By-law to stop-up, close and sell the closed highway to the abutting owner.
- b) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law.

Cont'd

Proposed Alleyway Closure:
Glenfern Avenue to the East/West Alleyway

Cont'd

- c) That the applicant register a reference plan under The Registry Act, the said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;
- d) That the Commissioner of The Transportation/Environmental Services Group be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;
- e) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owner.
- f) That the applicant provide an easement in favour of the Region for the existing 750mm combined sewer in the subject alleyway;
- g) That the applicant provide an easement in favour of Bell Canada for an existing plant in the subject alleyway.

BACKGROUND:

A request has been received from R. Lees, agent for the owner of #139 Glenfern Avenue, to close the abutting north/south alleyway from Glenfern Avenue to the north limit of the east/west alleyway, as shown on the attached drawing.

The applicant proposes to erect a single family dwelling on the property, for which the By-law requirements are a minimum width of 39.37' and a minimum area of 3875.01 square feet. The applicant is the abutting owner on both sides of the alley and a successful application for closure would provide the applicant with 42.0'.

The applicant's present property is 30.0' and therefore, should his application be unsuccessful, his option would be to apply to the Committee of Adjustment or to apply for rezoning of the area.

cont'd...

Proposed Alleyway Closure:
Glenfern Avenue to the East/West Alleyway

Cont'd

The applicant first requested the closure on August 28, 1992. That original request was to close the north/south alleyway from Glenfern Avenue southerly to the rear of #81 Mountain Avenue and the east/west alleyway from the north/south alleyway to the easterly limits of 116 Amelia Street.

Notice of the first closure request was sent to the affected municipal departments, utility companies and area residents requesting comments on the closure application. The results of that circularization are as follows:

a) Municipal Departments

No objections, however, the Environmental Services Department indicates that there is a 750mm combined sewer in the subject alleyway. The sewer cannot be abandoned and, therefore, an easement in favour of the Region must be provided for by the applicant, for the full width of the existing alley.

b) Utility Companies

No objections, however, Bell Canada indicates that a Bell plant is located in the subject alleyway and an easement in favour of Bell Canada must be provided for by the applicant.

c) Area Residents

Total number circularized 117

In Favour 4 Opposed 72 No response 41

The area residents felt that the character of the neighbourhood would be compromised if a building was constructed at this site. Others were concerned about already existing lack of on street parking and possible increase in traffic in the area.

On November 16, 1992 this Department sent a letter to R. Lees informing him that we were not prepared to recommend in favour of his request for closure due to the large number of negative responses from the residents. The applicant requested a meeting with Roads Department staff to discuss amending his original application.

cont'd...

-Page 4-
February 18, 1993

Proposed Alleyway Closure:
Glenfern Avenue to the East/West Alleyway

Cont'd

Subsequent to a meeting with the applicant and the owner, this Department sent a second closure request to the area residents on January 8, 1993. The second request was to close only the north/south alleyway from Glenfern to the north limits of the east/west alleyway, eliminating the request to close the east/west alleyway. As the easement requirements will remain the same, notice of the second request was not sent to the municipal departments and utility companies.

The results of the second circularization to area residents is as follows:

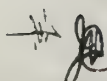
Total number circularized 117

In Favour 2 Opposed 60 No response 51

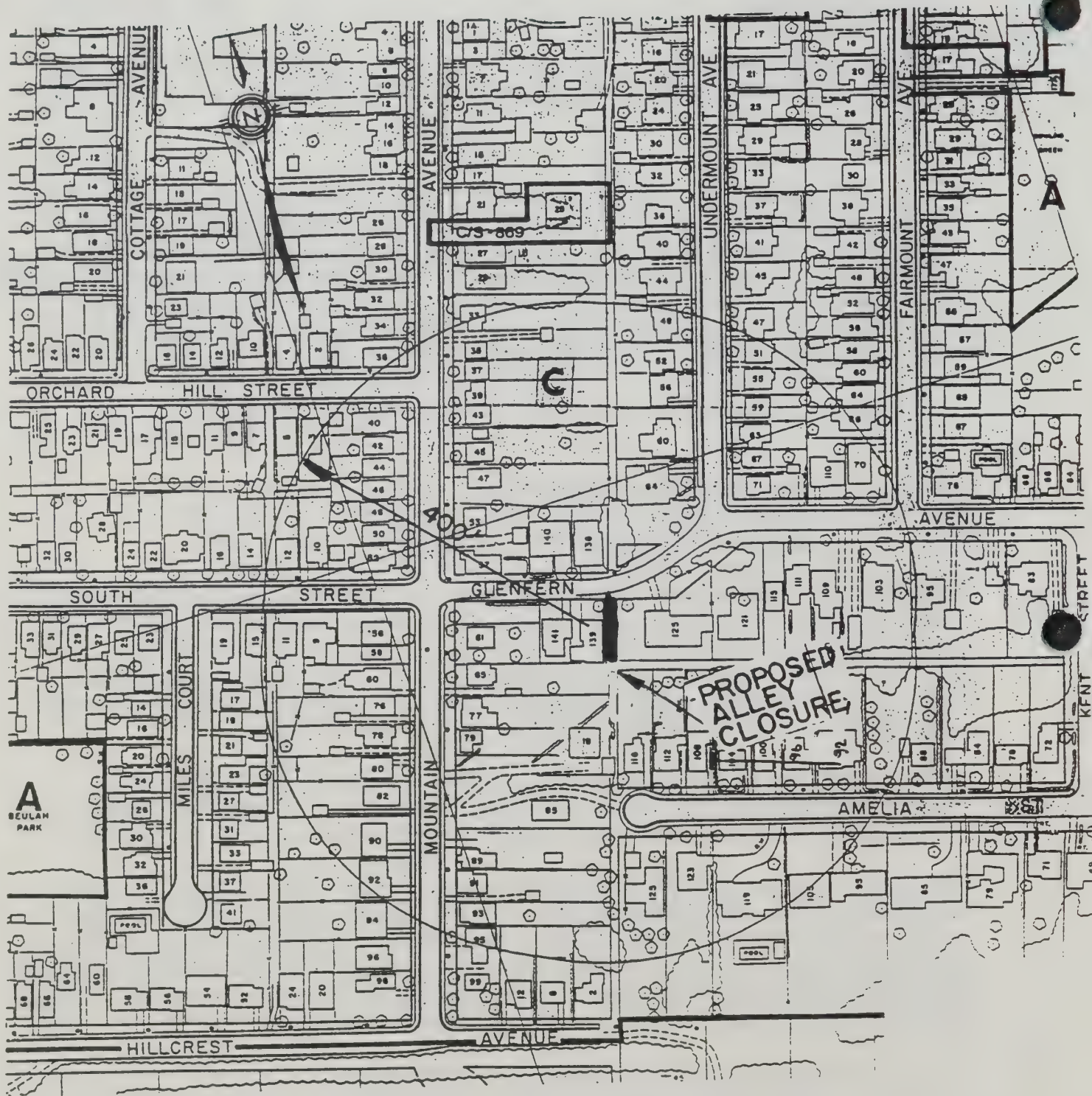
Once again the residents were concerned about the character of their neighbourhood. A further concern was that the subject area is fronting on a substandard section of the road. There are no sidewalks and the road narrows with a sharp turn in front of the proposed lot. The road allowance of Glenfern Avenue at this location is less than 40 feet. The residents also expressed an environmental and privacy concern as a number of mature trees would be lost to the proposed construction.

R. Lees was informed that due to the results of the second circularization, this Department could not recommend in favour of his request. R. Lees advised that he still wished to have the closure request submitted for consideration by the Committee.

Given that there are a number of planning issues involved with the proposal to build infill housing in a mature residential area, on a road allowance that is substandard in width, it is the opinion of staff that the application for alley closure should be denied. The applicant would still have the opportunity to either go to Committee of Adjustment or for a rezoning of the property, but these involve traditional planning processes which could ultimately be appealed to the Ontario Municipal Board.

 JKC:

cc: Alderman, M. Kiss
cc: Alderman, T. Cooke
cc: M. Watson, Property Department (Real Estate)



LOCATION PLAN FOR
PROPOSED ALLEY CLOSURE

LEGEND



PROPOSED ALLEY CLOSURE

SCALE

FILE NO.

NORTH

300-012

57, Mountain Ave
Hamilton, Ont.
L8P4E8

March 1, 1993.

Hamilton City Hall,
Attn: Mr. Clairmont

Dear Mr. Clairmont;

Since I am unable to attend the meeting this morning at 9.30 this letter must suffice to protest the absorption of the alley off Glenford St. All extra city land not built up increases the quality of life in urban areas.

This piece of land is also in a place not safe at all for another chance. There are accidents every year

at that bend in the road. Strange that requests for extra stop signs or speed bumps along Glenford have been ignored in spite of frequent bangups (reported or not), yet the City would consider consider another driveway in that spot.

The previous owners who had lived there for many years kept this property intact, & now it is owned by a speculator who has no interest in the neighborhood or its problems. Let us not allow this neighborhood to succumb to opportunism.

Thankyou,

Norma Graydon

18 year resident

Dear Mr. Christenson,

Please find enclosed a letter, map, photographs and 2 petitions (Nov-92 and Jan-93) regarding the proposed alleyway closure between 125 and 139 Glenfern Ave.

I would appreciate very much if you could give a copy of my letter, map and photos and petition to every member of the committee. I would like the members to have a chance to see how unsuitable a house would be on that property and in that area.

Thank you for your cooperation.

Sincerely

Mrs. Lena Ginsberg
582-3112

Mrs. Lena Ginsberg
125 Glenfern Ave.
Hamilton, Ont.
L8P 2T9

Hamilton Feb. 5, 1993

TO WHOM IT MAY CONCERN,

Listed below are reasons why alleyway from Glenfern Ave. Southerly to the North limits of the East/West alleyway should NOT be closed to build a Single Family Dwelling.

1. Overwhelming opposition by the neighbourhood as shown by 2 petitions.(enclosed)
2. There is already high density in this area.
3. There is no need for another house on an already busy and dangerous part of the street. There are no sidewalks and the road narrows with a sharp turn right in front of the proposed buildinglot (see pictures 1 and 2 and enclosed map). There have been many accidents there, the last one on Jan. 22 1993. Mr. J. Singer of 138 Glenfern Ave. has had several accidents there and I have also had one.
4. It is doubtful that there is room for a driveway on such a small lot which means that additional cars parked on the road and increased traffic will only cause more danger.
5. The previous owner of 139 Glenfern Ave.,Mr. Leonard Williams, had this area beautifully landscaped for about 30 years, winning many Trillium awards (see pictures 3,4,5). It is still well maintained and beautiful for everyone to enjoy and should remain that way.
6. There are also many mature trees on the East part and back of the area which would have to be taken down if a house were to be built.
7. Some of these trees have provided privacy for several neighbours and my family and my house (125 Glenfern Ave. just East of proposed lot) since we moved here in 1973. (see pictures).
8. Since this is a small lot I assume that a house would have to be two storeys high. That means we would completely lose all privacy at our pool area with the trees gone. A house would also interfere with the late afternoon summer sun that we now enjoy at our pool. (pictures 9,10)
9. Our backyard has been flooded 4 times during heavy rainstorms with extensive damage to the exterior and interior of our house. The property is about 5 feet lower than the land to the West so if a house were to be built there even more run off water would collect in our backyard. (picture 7).
- 10.I have also been told that there is a trunk sewer and other services in this alleyway which should prevent a house from being built.

11. Our house was architecturally designed to conform with and suit the surrounding landscaping, especially to the West. This would all be lost if a house were to be built there. (pictures 5,6,7)

These are all important and serious reasons that affect not only myself but everyone living in this area. When Mr. Rosenblatt took possession of this property, he was aware of the situation with the alleyway and should have left it at that. To upset a whole neighbourhood for personal financial gain is simply unethical.

Mr. Rosenblatt does not live at 139 Glenfern Ave. and I doubt that he intends to live in the house he wants to build.

Mr. Williams had been told many years ago by City Hall that he was only allowed to landscape that area, never build on that lot. How can suddenly this seem to be possible now?

If the City and the neighbourhood want to open the alleyway to pedestrians, I would not object.

I suggest that the persons at City Hall who make the decision whether to close this alleyway or not, have a moral, social, environmental and political responsibility to all the taxpayers and residents of this neighbourhood who, as mentioned before, are overwhelmingly against it.

I sincerely hope there will be no more applications regarding this alleyway closure or proposed buildinglot.

WE DO NOT WANT IT !!!

Sincerely

Lena Grunberg

1880 - 92

THE FOLLOWING TAXPAYERS, ARE OPPOSED TO THE
 LURE OF THE ALLEYWAY from N/S Alleyway to
 westerly limit of 116 Amelia (Between 125 and 139 Glenfern,
 and (S) of 125 Glenfern and behind (E) of 65 and 77
 Mountain)

NAME	ADDRESS
Ema Grinberg	125 Glenfern Ave
Joseph Singer	138 Glenfern Ave
Leta Sakas	121 Glenfern Ave
T. Sakas.	121 Glenfern Ave.
L. J. Keays	64 Undermount Ave
Elizabeth	79 Mountain Ave
Vladimir	82 MOUNTAIN AVE
Frank Morgan	89 Mountain Ave
Lise Morgan	110 GLENFERN AVE.
Th. Kalafatis	123 Glenfern Ave
Yvette Hatrik	59 Undermount
Minna Wright	55 Undermount Ave.
Christina Gage	55 Undermount Ave.
Brian Gage	57, 11 Mountain H.
Anna Graydon	88 Amelia St.
Mrs. Mark Perry	125 Amelia St.
Joe & Anne Mader	92 Amelia St.
Hannah Feldman	123 Amelia St.
Benjamin	104 AMELIA ST.
Wm. Cunningham	67 Undermount
Mary Cunningham	67 Undermount
Jeannette B. Jackson	52 Undermount Ave.
125 2nd St. - 5th St.	56 Undermount

Nov-98

THE FOLLOWING TAXPAYERS, ARE OPPOSED TO
THE CLOSURE OF THE ALLEYWAY from N/S alleyway
to easterly limit of 116 Amelia (Between 125 and 131
Hempden, behind (S) of 158 Hempden and behind (E) of
65 and 77 Mountain)

NAME	ADDRESS
John Phillips	73 Mountain Ave.
Nancy Phillips	75 Mountain Ave
John Phillips	60 Mountain Ave
John Phillips	170 Allen St
John Phillips	47 Mountain Ave
John Phillips	46 Mountain Ave
John Phillips	43 Mountain Ave
John Phillips	50 Mountain Ave + 34 Mountain
John Phillips	34 Mountain Ave
John Phillips	53 Mountain Ave
John Phillips	47 Mountain Ave
John Phillips	33 Mountain Ave
John Phillips	38 Mountain Ave
John Phillips	100 Amelia St.
John Phillips	108 Amelia St
John Phillips	96 Amelia St.
John Phillips	70 Fairmount
John Phillips	66 Fairmount Ave.
John Phillips	66 Fairmount Ave
John Phillips	56 Mountain Ave
John Phillips	58 Mountain Ave.
John Phillips	75 Mountain Ave
John Phillips	71 Undermount Ave

Nov. - 78

THE FOLLOWING TAXPAYERS, PRE OPPOSED TO THE
 CLOSURE OF THE ALLEY WAY from N/S alignment to east side
 of 116 Bunker (Between 125 and 137 Glenfern) behind (S) of
 Glenfern and behind (E) of 65 and 27 Mountman

Lydia May Lohren
 125 Lohren
 Remme Dph.

William
 Alan Denton
 Corrother Liggat
 Jan M. Tipton
 William

William
 Eric Hill
 M. J. Hill
 Bob Morgan
 William C. Hill
 U. Bennett
 M. Neil Spratt
 Carolyn Sakae

60 Undermount Ave
 60 Undermount Ave
 63 Undermount Ave
 59 Undermount Ave
 47 Undermount
 South St.
 71 Amelia St.

8 Hillcrest 72nd HAM
 12 Hillcrest Ave HAM
 " " " "
 109 Glenfern Ave Ham
 15 South Street HAM
 11 South St Ham
 10 South St
 119 Amelia St. Ham

WE, THE FOLLOWING RESIDENTS AND TAXPAYERS,
ARE OPPOSED TO THE CLOSURE OF ALLEYWAY
FROM GLENFERN AVE SOUTHERLY TO THE NORTH LIMITS
OF THE EAST/WEST ALLEYWAY TO BUILD A HOUSE:

NAME	ADDRESS
Lena Ginzberg	125 Glenfern Ave
John	125 Glenfern Ave
Walter	96 Amelia St.
Robert	100 Amelia St
Sam	104 AMELIA ST.
Manni Kaplan	108 AMELIA ST.
Guidi Lopez	108 amelia st.
Susan Goodman	112 Amelia St
Helen Laccis	116 Auden St
Joseph H. Maiden	125 Amelia St.
Anne Minden	125 Amelia St.
Jean Gorman	70 Fairmount
Bette Hattick	103 Glenfern Ave.
Nathaniel Labatt	103 Glenfern Ave.
Robert Morgan	109 Glenfern Ave
Frank	110 GLENFERN AVE.
V. S. Kras	121 " " " "
Ed Jones	" " " "
Idue Aronson	71 Undermount Ave.
Mary Cunningham	67 Undermount Ave
Harry Cunningham	67 Undermount Ave
Gundys Cunningham	67 Undermount Ave
Julia Halvington	63 Undermount Ave

WE, THE FOLLOWING RESIDENTS AND TAXPAYERS, ARE
OPPOSED TO THE CLOSURE OF ALLEYWAY FROM GLEN-
FERD AVE. SOUTHERLY TO THE NORTH LIMITS OF THE
EAST/WEST ALLEYWAY TO BUILD A HOUSE:

Marilyn Wright
Alan Bentley
W. Brown
Phil Dineen
Mrs. Smith.
W. S. L.
Ruth E. L.

J. Singer
E. Singer
Don Zeller

Jo Zeller
Norma Grandon
W. Zeller

A. Zeller
J. E. Zeller

Frank Morgan

Louise Morgan

Wendy Moffitt

W. J. Moffitt

Eric Hill

Marie J. Hill

E. Kyles

B. Kyles

Don Vaxton

59 Undermount Ave

59 Undermount Ave

51 " "

52 " "

56 " "

60 Undermount Ave.

"

138 Glenfern Ave

138 " "

140 Glenfern Ave

140 Glenfern Ave

57 Mountain Ave.

56 Mountain Ave

62 Mountain Ave

60 Mountain Ave

76 Mountain "

89 Mountain Ave

89 Mountain Ave;

91 Mountain Ave.

91 Mountain Ave.

12 Hillcrest Ave

12 Hillcrest Ave.

92 Mountain Ave.

82 MOUNTAIN AVE

P. South St

WE, THE FOLLOWING RESIDENTS AND TAXPAYERS, ARE
OPPOSED TO THE CLOSURE OF ALLEYWAY FROM GLEN-
FERN AVE SOUTHERLY TO THE NORTH LIMITS OF THE
EAST/WEST ALLEYWAY TO BUILD A HOUSE;

Ngell Sprunt	10 South SE.
John Lee	" "
June Hueston	50 Mountain Ave
June Hueston	34 Mountain Ave
Alfred Gahlin	48 Mountain Ave.
* M. J. Janner	44 Mountain Ave.
M. Hamilton	38 Mountain Ave.
Phil P. B.	33 Mountain Ave
	33 Mountain Ave
Loria Clark	39 Mountain Ave.
M. Salayko	43 Mountain Ave.
D. Smith	53 Mountain Ave
Lisa Levy	53 Mountain Ave.
Josh Kelly	88 Amelia St.
Ed. Feldman	88 Amelia St.
Robert Feldman	72 Amelia St.
Carolyn Larkas	92 Amelia St.
Betty Larkas	119 Amelia St.
Wm. Priest	123 Amelia St.
W. Phillips	85 Mountain Ave.
R. J. Janner	45 Mountain Ave
Christa Page	47 Mountain
Ted Janner	55 Undermount Ave.
	66 Fairmount Ave

WE, THE FOLLOWING RESIDENTS AND TAXPAYERS, ARE
 OPPOSED TO THE CLOSURE OF ALLEYWAY FROM GLEN-
 TERN AVE. SOUTHERLY TO THE NORTH LIMITS OF THE
 EAST/WEST ALLEYWAY TO BUILD A HOUSE:

NAME	ADDRESS
Barbara Denson &	64 Fairmount Ave.
W. Terry	60 — " —
D. R. Leggat	47 UNDERMOUNT AVE.
Shirley Denson	48 Undermount Ave.
Bertie Denson	47 Undermount Ave.
Malachuk Leggat	47 Undermount Ave.
Jody Orr	64 Undermount Ave.
M. John Keays	64 Undermount Ave.

300-012

59 Undermount Avenue
Hamilton, Ontario
L8P 3Z7
(416) 570-1456

January 18, 1993

Dear Sir:

Recently we received notice of the proposed alleyway closure between 125 Glenfern Avenue and 139 Glenfern Avenue to the easterly limit of 116 Amelia Street.

As you will see from the enclosed card, we are opposed to this closure but the card did not provide a realistic amount of space in order to explain our reasons, which we have outlined below:

1. An alleyway is public access and we are against any measure that will limit public access. The roadways in the this area are not wide and few people have an abundance of parking. As a result, many people park on the road which makes it difficult for two cars to pass by each other when they are coming in opposite directions. As well, there are no sidewalks on that portion of Glenfern and it is not a safe place to walk due to the poor sightlines of cars coming around the curve. If this alleyway is closed, it will make it more difficult for people to access their garages and parking spaces at the back of their houses, thus increasing the likelihood that they will park on the street. This will increase the number of cars and exacerbate the street parking situation even further.
2. When we received the notice, we realized that we hadn't noticed an alleyway in the area indicated on the map. As a result, we walked up the location and noticed that the reason for this was that the people at 139 Glenfern Avenue had built a fence and garden across the "alleyway". This is supposed to be public access and I wonder why this was allowed? We wish to state our opposition to this blocking of the alleyway and we would like to know why they had not been required to take the fence down and "unblock" the alleyway.
3. After speaking with Jim Clairmont at the Region of Hamilton-Wentworth, we learned that the reason for the proposed closure is that one of the owners on Glenfern wishes to purchase his/her portion of the closed alleyway and then sever a lot for the purposes of building a house. In looking at the enclosed map, it appears that there must be just enough space for a house. If another house was built, we feel that it would most likely destroy the character of the area because in order to construct the house they will have to uproot and tear down large trees. As well, many of the new houses that have "infilled" this area are out of character with the adjacent housing and this will have a negative impact on the attractiveness of this area -- one of the principal reasons that we live where we do.

For these reasons, we are opposed to the closure of this alleyway. If you have any questions about our reasons or would like to discuss it with one of us, please do not hesitate to contact us at 570-1456.

Sincerely,

F. Alan Bentley

Marilyn J. Wright

1(b)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: March 25, 1993
S610-03

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P.Eng.
Senior Director
Roads Department

SUBJECT:

Sale of portions of City alley.

RECOMMENDATION:

- a) That the Alley between Elgin Street and Ferguson Street, from Cannon Street southerly to Kelly Street shown as Part 1 on Plan 62R-12068, be sold to Lockwood Motors Limited for \$24,000.00.
- b) That the By-Law to carry out the sale of the said lands be enacted by Council.
- c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Law.



E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

Cont'd

- page 2 -
March 25, 1993

Cont'd

BACKGROUND

The subject alley is owned by the City of Hamilton as the result of Alley Closure by Judge's Order No. 135758 (New).

The City Council approved the sale of the East portion of the Closed Alley by adopting Item 9, 1st Report, Transport and Environment Committee on January 14, 1992, for a sum of \$24,000.00.

It is necessary to enact the appropriate By-Law to complete this sale.

Kil

:cb

Encls.

cc/Mr. F. Angelici, Planning Department

Mayor

1(c)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: March 25, 1993
S610-03

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P.Eng.
Senior Director
Roads Department

SUBJECT:

Sale of a portion of City land.

RECOMMENDATION:

- a) That Parts of Limeridge Road West (Road Allowance between Concessions 6 and 7, former Township of Barton) shown as Parts 2, 3 and 7, on Plan 62R-11800, be sold to the Regional Municipality of Hamilton-Wentworth for \$148,000.00.
- b) That the By-Law to carry out the sale of the said lands be enacted by Council.
- c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Law.



E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

Cont'd

- page 2 -
March 25, 1993

Cont'd

BACKGROUND

1. The subject lands are owned by the City of Hamilton, being Part of Limeridge Road, closed and retained by City By-Laws 70-107 and 72-167.
2. The Regional Council of Hamilton-Wentworth at its meeting on October 6, 1992, adopted Item 22 of Report No. 1392 of the Transportation Services Committee, approved the purchase of Parts 2, 3 and 7, on Plan 62R-11800 for the sum of \$148,000.00 in accordance with an agreement dated October 13, 1992.
3. The City Council on November 10, 1992, approved Item 18 of the 12th Report of the Transport and Environment Committee for the sale of Parts 2, 3 and 7, on Plan 62R-11800, to the Regional Municipality of Hamilton-Wentworth for the sum of \$148,000.00 for the Red Hill Creek Expressway to form part of the Garth Street interchange.
4. It is necessary to enact the appropriate By-Law to complete this sale.

Lin
:cb

Encls.

cc/Mr. F. Angelici, Planning Department

Bill No.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO AUTHORIZE THE SALE ONLY OF PART OF LIMERIDGE ROAD WEST
ROAD ALLOWANCE BETWEEN CONCESSIONS 6 AND 7
NOW CLOSED BY BY-LAW NO. 72-167 AND BY-LAW NO. 70-107
BEING PARTS 2, 3 AND 7, PLAN 62R-11800

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter m.45, to sell any highway or part of a highway;

AND WHEREAS The City of Hamilton does hereby intend to authorize the sale of Parts 2, 3 and 7, on Plan 62R-11800, which is portions of the closed part of the said Road Allowance.

AND WHEREAS The Regional Municipality of Hamilton-Wentworth is the registered owner of the land adjacent to the North and South of the said portion of closed Road Allowance and The Corporation of the City of Hamilton does not require the said closed portions of Road Allowance.

AND WHEREAS The Regional Council for Hamilton-Wentworth approved at its meeting on October 6, 1992, in adopting Item 22 of Report No. 1392 of The Transportation Services Committee the purchase of Parts 2, 3 and 7, on Plan 62R-11800 for the sum of \$148,000 in accordance with and subject to the terms and conditions of an agreement dated October 13, 1992, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.

AND WHEREAS the City Council on November 10, 1992, adopted Item 18 of the 12th Report of the Transport and Environment Committee to accept the sum of \$148,000.00 for the sale of the said Parts 2, 3 and 7, on Plan 62R-11800.

AND WHEREAS The Corporation of the City of Hamilton is the Owner of the portions of the said closed Road Allowance.

AND WHEREAS Notice of the City's intention to pass this By-Law to authorize the said sale has been published on March 9, 16, 23 & 30, 1993, as required by Section 300 of The Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of the By-Law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the soil and freehold in those portions of the said portions of the closed Road Allowance described as Parts 2, 3 and 7, on Plan 62R-11800, be sold to The Regional Municipality of Hamilton-Wentworth, or their successors in title, for the sum of \$148,000 in accordance with the provisions of the agreement above noted.

PASSED this day of A.D. 1993.

City Clerk

Mayor

1(a)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: March 25, 1993
S610-03

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee


FROM: E. M. Gill, P.Eng.
Senior Director
Roads Department

SUBJECT:

To close and retain a portion of Tom Street. (R-93-31)

RECOMMENDATION:

- a) That Tom Street, Registered Plan No. 255, designated as Part 3 on Plan 62R-6060 be closed and retained.
- b) That the By-Law to carry out the closure and retention of the said lands be enacted by Council.
- c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Law.


✓ E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

Cont'd

- page 2 -
March 25, 1993

Cont'd

BACKGROUND

To complete the closure and retention of a portion of Tom Street as authorized by Item 15.(1)(bb), of the 14th Report of the Transport and Environment Committee, dated July 28, 1981.

:cb
Encls.
cc/Mr. F. Angelici, Planning Department

CITY OF HAMILTON

1(e)

- RECOMMENDATION -

DATE: March 26, 1993

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee


FROM: E. M. Gill, P. Eng.
Senior Director
Roads Department

SUBJECT:

By-Law to reconstruct portions of Mount Albion Road. 1993 Reconstruction Programme.
(R-93-33)

RECOMMENDATION:

That City Council enact the appropriate By-Law to widen and alter Mount Albion Road from approximately 90 m north of Albright Road to approximately 110 m south of Albright Road, to provide a left turn lane.


E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS

N/A

Cont'd ...

- page 2 -
March 26, 1993

Cont'd...

BACKGROUND

City Council, on February 9, 1993, in adjusting Item 41 of the 2nd Report of the Transport and Environment Committee, directed by the Commissioner of Transportation/Environmental Services, to prepare the By-Law referred to above.

The Public Notice appeared in The Hamilton Spectator on Thursday; March 4, 11, 18 and 25, 1993.

:cb
Encls.

Bill No.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93 -

**TO ALTER PORTIONS OF
MOUNT ALBION ROAD**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 300 of The Municipal Act, R.S.O. 1990, Chapter M.45, to alter, establish and lay out any highway or part of a highway under its jurisdiction;

AND WHEREAS it is necessary as part of the 1993 Reconstruction Programme to alter portions of Mount Albion Road as described in more detail in Schedule "A" attached hereto;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting held on February 9, 1993 in adopting Item 41 of the 2nd Report of the Transport and Environment Committee authorized the reconstruction and altering of Mount Albion Road as described in Schedule "A" attached hereto;

AND WHEREAS Notice of the By-Law has been published as required by Section 301 of the Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, whether in objection to or in support of this By-Law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The reconstruction of Mount Albion Road as described in Schedule "A" attached hereto and forming part of this By-Law be proceeded with.
2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to sign all documents and do all things necessary to implement these works.

PASSED this

day of

1993.

City Clerk

Mayor

SCHEDULE "A"

DESCRIPTION OF WORKS TO BE UNDERTAKEN MOUNT ALBION ROAD

Mount Albion Road - The widening of Mount Albion Road from approximately 90 m north of Albright Road to approximately 110 m south of Albright Road, to provide a left turn lane.

CITY OF HAMILTON
- RECOMMENDATION -

1(f)

DATE: 1993 March 26

REPORT TO: Mr. Kevin Christenson
Secretary, Transport and Environment Committee

FROM: Mr. D. Lobo
Director of Public Works

SUBJECT: Proposed Narrowing of Sanders Boulevard
from West Park Avenue to Norfolk Street

RECEIVED

MAR 26 1993

CITY CLERKS

RECOMMENDATION:

- (a) That approval be given to proceed with the narrowing of Sanders Boulevard from 16.5 m to 8.5 m between West Park Avenue to Norfolk Street in conjunction with the 1993 Reconstruction Programme (Supplementary List).
- (b) That the appropriate By-law be enacted by Council.



D. LOBO, DIRECTOR OF PUBLIC WORKS

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The estimate of cost to reconstruct Sanders Boulevard to its present width is \$963,600. The estimate to reconstruct it to 8.5 m is \$867,200, 11.5 m \$926,600, and 14.5 m \$962,100, a savings of \$96,400, \$37,400 and \$1,500 respectively.

BACKGROUND:

On February 1, 1993, your Committee approved the 1993 Reconstruction Programme for roads and sidewalks. Sanders Boulevard is included in this Programme on the Supplementary List portion. This means that Sanders Boulevard reconstruction of road and sidewalks will proceed in 1993 if residual funds are available once the projects on the Main List have been tendered. It appears that the project will most likely proceed in 1994.

On January 12, 1982, in adopting Item 20 of the 1st Report of your Committee, Council reconfirmed a policy which was established in 1960 to reconstruct all local residential streets to a standard width of 8.5 m where conditions permit and no undue hardships will be created.

Sanders Boulevard is presently 16.5 m wide. It was originally the extension of King Street West prior to expansion at McMaster University which made the roadway discontinuous. It now serves a local road function with no through traffic. Sanders Boulevard has been designated as a bike route in the Regional Bikeway System.

Based on a significant capital cost saving, and savings for ongoing operational costs, it would be prudent to narrow the roadway to 8.5 m in accordance with approved City policy.

The narrowing to 8.5 m would require the elimination of the current on-street parking so that no conflicts would occur between cyclists and parked cars. The elimination of on-street parking would facilitate street sweeping and snow clearing operations by the City.

Notice of the proposed alteration was sent to all the owners whose property abuts the Sanders Boulevard road allowance and invited them to an Open House held on March 22, 1993 at Binkley United Church, 1570 Main Street West from 6:00 p.m. to 9:00 p.m. Four alternatives were presented at this meeting as follows:

Alternative A - narrow to 8.5 m (requires elimination of all on-street parking).

Alternative B - narrow to 11.5 m (allows parking on one side only).

Alternative C - narrow to 14.5 m (allows parking on both sides).

Alternative D - reconstruct to existing width 16.5 m (no change in parking regulations).

The Open House was attended by 21 residents and five residents responded to the mailing by phone. The residents were asked to give their opinion on the Alternatives presented. The results are as follows:

Alternative A - 4 (15%)

Alternative B - 2 (8%)

Alternative C - 2 (8%)

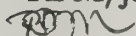
Alternative D - 14 (54%)

(includes 2 that did not want the roadway reconstructed)

No opinion expressed - 4 (15%)

Four of the residents were concerned about the possible elimination of parking for guests or for second cars etc. Parking regulations on several of the side streets allow short term parking. Also, residents may apply for time limit exemption permits at a cost of \$24.00 + GST per year. This would allow them to park their vehicles for longer periods and be exempt from the time limit regulations.

RPM/jdh



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93 -

**TO ALTER PORTIONS OF
SANDERS BOULEVARD**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 300 of The Municipal Act, R.S.O. 1990, Chapter M.45, to alter, establish and lay out any highway or part of a highway under its jurisdiction;

AND WHEREAS it is necessary as part of the 1993 Reconstruction Programme to alter portions of Sanders Boulevard as described in more detail in Schedule "A" attached hereto;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting held on February 9, 1993 in adopting Item 41 of the 2nd Report of the Transport and Environment Committee authorized the reconstruction and altering of Sanders Boulevard as described in Schedule "A" attached hereto;

AND WHEREAS Notice of the By-Law has been published as required by Section 301 of the Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, whether in objection to or in support of this By-Law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The reconstruction of Sanders Boulevard, as described in Schedule "A" attached hereto and forming part of this By-Law be proceeded with.
2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to sign all documents and do all things necessary to implement these works.

PASSED this

day of

1993.

City Clerk

Mayor

SCHEDULE "A"

DESCRIPTION OF WORKS TO BE UNDERTAKEN SANDERS BOULEVARD

Sanders Boulevard - The narrowing of Sanders boulevard from 16.5 m to 8.5 m from West Park Avenue to Norfolk Street including the reconstruction of the roadway and sidewalks (both sides).

CONSENT AGENDA

**Transport and Environment Committee
Monday, 1993 April 5
9:30 o'clock a.m.
Room 233, City Hall**

A G E N D A

A. ADOPTION OF THE MINUTES

Minutes of the Meeting held 1993 March 1

B. DIRECTOR OF TRAFFIC SERVICES

i. Parking Meters

- (a) **East Side of Huxley Avenue North, north of Main Street East (TEC-48-93)**
- (b) **West Side of Kensington Avenue North, north of Main Street East (TEC-62-93)**

ii. Reserved Parking Permits for Disabled Residents

- (a) **No. 31 Devonport Street (TEC-69-93)**
- (b) **No. 17 Garfield Avenue North (TEC-70-93)**
- (c) **No. 152 Locke Street North (TEC-68-93)**

iii. Wheelchair Loading Zones

- (a) **No. 25 Glamis Court (TEC-63-93)**
- (b) **No. 200 Jackson Street West (TEC-64-93)**
- (c) **No. 59 Wood Street West (TEC-59-93)**
- (d) **No. 18 Barons Street (TEC-67-93)**

iv. Corner Clearances

- (a) **Intersection of Queen Victoria Drive and Quinn Avenue (TEC-65-93)**
- (b) **Intersection of David Avenue and Fennell Avenue East (TEC-39-93)**
- (c) **West Side of Park Street South, north of Bold Street (TEC-40-93)**

URBAN MUNICIPAL
APR 7 1993
GOVERNMENT DOCUMENTS

v. Taxi Stand

West Side of Currie Street, south of DuBarry Boulevard (TEC-61-93)

vi. Bus Stop Relocation and Removal

Delaware Route (TEC-57-93)

vii. Transportation Association of Canada - Environmental Policy and Code of Ethics (TEC-58-93)

C. COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES

i. Encroachment Agreements

**ii. 1993 Servicing Expenditures Related to Subdivisions
- "Claudette Gardens, Phase 3" (R-93-27)**

iii. Incorporating Certain City Lands into Various Streets by By-law (R-93-30)

iv. Discharge of Encroachment Agreement - 77 James Street North (R-93-28)

**v. City of Hamilton's "Flat Rate Fee" for the
Recovery of Servicing Costs associated with 0.3 metre Reserves (R-93-25)**

**vi. 1993 Servicing Expenditures Related to Subdivisions
- Rymal Square Estates - Phase 4"**

D. DIRECTOR OF PUBLIC WORKS

i. Closure of Public Works Department Streets Division Capital Projects

ii. Closure of Public Works Department Fleet Services Division Capital Projects

E. DIRECTOR OF PROPERTY

- i. Purchase of part of the property at 801 Rymal Road East from Gustav Turnewitsch required for the Extension of Eaglewood Avenue
- ii. Eleanor Avenue Road Closure Offer to Purchase Agreement
Elio Bachetti, 727 Rymal Road East
Option to Purchase Agreement
Elio Bachetti, 727 Rymal Road East
Offer to Purchase Agreement
Lillian Mary Snyder, 741 Rymal Road East
- iii. Purchase of a 12 metre Easement through proposed Gagliano Gardens Subdivision to provide Sewer Outlet for Bar-Brock Estates - Phase 3 - Future Gagliano Drive
- iv. Sale of 24 Residential Buildings Lots Wheten Court Subdivision 107 Mohawk Road East at Warren

F. CITY SOLICITOR

- i. By-law to Authorize Construction of Local Improvements of Sidewalks on Upper Paradise Road - \$47,700.
- ii. By-law to Authorize Construction of Local Improvements of Sidewalks on Limeridge Road - \$60,000.

G. MANAGER OF PURCHASING

- i. Supply and Delivery of Vehicle Actuated Traffic Controllers, Traffic Department
- ii. Annual Supply of Athlete Field Lime, Public Works Department

H. SECRETARY, TRANSPORT AND ENVIRONMENT COMMITTEE

Information Reports

2(A)

Monday, 1993 March 1
9:30 o'clock a.m.
Room 233, City Hall

The Transport and Environment Committee met.

Present: Alderman H. Merling, Chairman
Alderman V. J. Agro, Vice-Chairman
Alderman M. Kiss
Alderman B. Morelli
Alderman D. Wilson
Alderman F. Eisenberger
Alderman T. Jackson
Alderman F. D'Amico

Absent: Mayor R. M. Morrow, City Business

Also present: Alderman D. Ross
Alderman B. Charters
Ms. B. Price, Hamilton Safety Council
Ms. S. Wilson, Board of Education
Mr. J. G. Pavelka, Chief Administrative Officer
Mr. M. Main, Director of Traffic Services
Mr. M. Hazell, Traffic Department
Mr. D. Lobo, Director of Public Works
Mr. D. Vyce, Director of Property
Mr. J. Halliday, Senior Director of Environmental Services
Mr. K. C. Christenson, Secretary

1. **DELEGATION**

Proposed Alleyway Closure: Glenfern Avenue

The Committee was in receipt of a report dated 1993 February 18 from the Senior Director, Roads Department respecting a proposed alleyway closure: Glenfern Avenue.

Mr. Aston spoke to the issue and stated that the opinion of staff was that the application to close the alleyway should be denied. The Chairman indicated that he had received two letters that morning, one from F. Alan Bentley and Marilyn J. Wright and the other from Norma Graydon both in support of the recommendation to not close this alley.

The Committee then approved the following recommendation:

That the application of R. Lees, agent for the owner of 139 Glenfern Avenue, to close the north/south alleyway from Glenfern Avenue to the east/west alleyway, be denied.

2. CONSENT AGENDA**A. ADOPTION OF THE MINUTES**

The minutes of the meeting held 1993 February 1 were adopted as circulated.

B. DIRECTOR OF TRAFFIC SERVICES**i. Parking Regulations****(a) Park Street North between Barton Street West and Murray Street West**

The Committee was in receipt of a report dated 1993 January 28 from the Director of Traffic Services respecting Park Street North between Barton Street West and Murray Street West.

The Committee approved the following recommendation:

- (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Park Street North between Barton Street West and Murray Street West; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(b) Biggar Avenue

The Committee was in receipt of a report dated 1993 January 20 from the Director of Traffic Services respecting Biggar Avenue.

The Committee approved the following recommendation:

- (a) That the existing "No Parking" regulation on the north side of Biggar Avenue commencing at Lottridge Street and extending to a point 293 feet westerly therefrom be revised, such that a 20 foot section of unrestricted free parking can be implemented from 179 feet west of Lottridge Street to a point 20 feet westerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(c) James Street North

The Committee was in receipt of a report dated 1993 January 28 from the Director of Traffic Services respecting James Street North.

The Committee approved the following recommendation:

- (a) That a "No Stopping" regulation be implemented on the east side of James Street North commencing at Strachan Avenue East and extending to a point 70 feet northerly therefrom; and
- (b) That a "No Stopping" regulation be implemented on the west side of James Street North commencing at Strachan Avenue East and extending to a point 69 feet northerly therefrom; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

(d) **Berkindale Drive between Bow Valley Drive and Rivercrest Road**

The Committee was in receipt of a report dated 1993 January 18 from the Director of Traffic Services respecting Berkindale Drive between Bow Valley Drive and Rivercrest Road.

The Committee approved the following recommendation:

- (a) That parking be prohibited on the south side of Berkindale Drive between Bow Valley Drive and Rivercrest Road; and
- (b) That the existing "No Parking" regulation on the north side of Berkindale Drive which commences at Bow Valley Drive and extends to a point 252 feet easterly therefrom, be removed; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

(e) **Ferguson Avenue North**

The Committee was in receipt of a report dated 1993 January 22 from the Director of Traffic Services respecting Ferguson Avenue North.

The Committee approved the following recommendation:

- (a) That the existing "No Parking" regulation on the west side of Ferguson Avenue North between King Street East and Wilson Street be replaced with three hour metered parking; and
- (b) That the existing two hour parking meters on the east side of Ferguson Avenue North between King William Street and Wilson Street be replaced with three hour parking meters; and
- (c) That the existing one hour parking meters on the east side of Ferguson Avenue North between King Street East and King William Street be replaced with three hour parking meters; and
- (d) That the City Traffic By-law No. 89-72 be amended accordingly.

(f) **Napier Street between Pearl Street and Wellesley Street**

The Committee was in receipt of a report dated 1993 February 1 from the Director of Traffic Services respecting Napier Street between Pearl Street and Wellesley Street.

The Committee approved the following recommendation:

- (a) That the existing "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on the south side of Napier Street between Wellesley Street and a point 36 feet easterly be removed; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(g) **South Side of Brant Street, east of Birch Avenue**

The Committee was in receipt of a report dated 1993 February 5 from the Director of Traffic Services respecting the south side of Brant Street, east of Birch Avenue.

The Committee approved the following recommendation:

- (a) That the existing "No Parking, 6:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Brant Avenue commencing at a point 155 feet east of Birch Avenue and extending to a point 137 feet easterly therefrom, be removed; and
- (b) That a "No Stopping" regulation be implemented on the south side of Brant Avenue commencing at a point 232 feet east of Birch Avenue and extending to a point 60 feet easterly therefrom; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

(h) **North Side of Ferrie Street East
between John Street North and Catharine Street North**

The Committee was in receipt of a report dated 1993 February 9 from the Director of Traffic Services respecting the north side of Ferrie Street East between John Street North and Catharine Street North.

The Committee approved the following recommendation:

- (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Ferrie Street East between John Street North and Catharine Street North; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(i) **East Side of Eastwood Avenue, south of Melvin Avenue**

The Committee was in receipt of a report dated 1993 February 18 from the Director of Traffic Services respecting the east side of Eastwood Avenue, south of Melvin Avenue.

The Committee approved the following recommendation:

- (a) That a "No Stopping" regulation be implemented on the east side of Eastwood Avenue commencing at Melvin Avenue and extending to a point 115 feet southerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(j) **Amherst Circle**

The Committee was in receipt of a report dated 1993 February 11 from the Director of Traffic Services respecting Amherst Circle.

The Committee approved the following recommendation:

- (a) That a "No Parking" regulation be implemented on both sides of Amherst Circle including the "bulb" of this cul-de-sac; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(k) **West Side of Tia Drive, south of Nugent Drive**

The Committee was in receipt of a report dated 1993 February 15 from the Director of Traffic Services respecting west side of Tia Drive, south of Nugent Drive.

The Committee approved the following recommendation:

- (a) That the existing "No Stopping" regulation on the west side of Tia Drive commencing at Nugent Drive and extending to a point 54 feet southerly therefrom be extended such that the regulation commences at Nugent Drive and extends to a point 71 feet southerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(l) **East Side of Princeton Dr. between Margate Ave. and Sherwood Rise**

The Committee was in receipt of a report dated 1993 February 15 from the Director of Traffic Services respecting the east side of Princeton Drive between Margate Avenue and Sherwood Rise.

The Committee approved the following recommendation:

- (a) That a "No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the east side of Princeton Drive between Margate Avenue and Sherwood Rise; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(m) **South Side of Landron Avenue between
Upper Kenilworth Avenue and Lockheed Drive**

The Committee was in receipt of a report dated 1993 February 16 from the Director of Traffic Services respecting the south side of Landron Avenue between Upper Kenilworth Avenue and Lockheed Drive.

The Committee approved the following recommendation:

- (a) That a "No Parking" regulation be implemented on the south side of Landron Avenue between Upper Kenilworth Avenue and Lockheed Drive;
and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

ii. Neighbourhood Watch Program**(a) Parkview West Neighbourhood**

The Committee was in receipt of a report dated 1993 February 1 from the Director of Traffic Services respecting designating the Parkview West Neighbourhood as a Neighbourhood Watch Area.

The Committee approved the following recommendation:

- (a) That the Parkview West Neighbourhood be designated as a Neighbourhood Watch Area; and
- (b) That Neighbourhood Watch signs for the Parkview West Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
- (c) That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program).

(b) Rushdale Neighbourhood

The Committee was in receipt of a report dated 1993 February 9 from the Director of Traffic Services respecting designating the Rushdale Neighbourhood as a Neighbourhood Watch Area.

The Committee approved the following recommendation:

- (a) That the Rushdale Neighbourhood be designated as a Neighbourhood Watch Area; and
- (b) That Neighbourhood Watch Signs for the Rushdale Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
- (c) That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program).

iii. Intersection Control**(a) Intersection of Chesley Street and Harbottle Court**

The Committee was in receipt of a report dated 1993 February 2 from the Director of Traffic Services respecting the intersection of Chesley Street and Harbottle Court.

The Committee approved the following recommendation:

- (a) That eastbound traffic on Harbottle Court be required to stop for northbound and southbound traffic on Chesley Street; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(b) **Intersections of Village Road and Fairington Crescent and Village Road and Adorn Court**

The Committee was in receipt of a report dated 1993 February 2 from the Director of Traffic Services respecting the intersections of Village Road and Fairington Crescent and Village Road and Adorn Court.

The Committee approved the following recommendation:

- (a) That northbound traffic on Adorn Court be required to stop for eastbound and westbound traffic on Village Road; and
- (b) That eastbound traffic on Village Road be required to stop for northbound and southbound traffic on Fairington Crescent; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

iii. **Loading Zones**

(a) **No. 75 Smith Avenue - Request for a Wheelchair Loading Zone**

The Committee was in receipt of a report dated 1993 January 28 from the Director of Traffic Services respecting No. 75 Smith Avenue - Request for a Wheelchair Loading Zone.

The Committee approved the following recommendation:

- (a) That a "No Stopping, Wheelchair Loading Only, 8:30 a.m. to 10:00 p.m., 7 days a week" regulation be implemented on the west side of Smith Avenue, commencing at a point 435 feet south of Barton Street East and extending to a point 24 feet southerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(b) **Request to Relocate a Wheelchair Loading Zone from No. 182 Province Street North to No. 193 Grosvenor Avenue North**

The Committee was in receipt of a report dated 1993 February 2 from the Director of Traffic Services respecting request to relocate a wheelchair loading zone from No. 182 Province Street North to No. 193 Grosvenor Avenue North.

The Committee approved the following recommendation:

- (a) That the existing "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the east side of Province Street North, commencing at a point 101 feet north of Cannon Street East and extending to a point 18 feet northerly therefrom be removed; and
- (b) That a "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the west side of Grosvenor Avenue North, commencing at a point 124 feet north of Cannon Street East and extending to a point 21 feet northerly therefrom; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

(c) **School Bus Loading Zone on
Ravenbury Drive adjacent to Lincoln Alexander School**

The Committee was in receipt of a report dated 1993 February 8 from the Director of Traffic Services respecting a school bus loading zone on Ravensbury Drive adjacent to Lincoln Alexander School.

The Committee approved the following recommendation:

- (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Ravenbury Drive commencing at a point 64 feet west of the west curb line of Rama Court and extending to a point 40 feet westerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(d) **No. 49 Royal Avenue - Request for a Wheelchair Loading Zone**

The Committee was in receipt of a report dated 1993 February 11 from the Director of Traffic Services respecting No. 49 Royal Avenue - Request for a Wheelchair Loading Zone.

The Committee approved the following recommendation:

- (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Royal Avenue commencing at a point 66 feet east of Emerson Street and extending to a point 24 feet easterly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(e) **School Bus Loading Zone on
Belmont Avenue adjacent to Holy Name of Jesus School**

The Committee was in receipt of a report dated 1993 February 18 from the Director of Traffic Services respecting a school bus loading zone on Belmont Avenue adjacent to Holy Name of Jesus School.

The Committee approved the following recommendation:

- (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Belmont Avenue commencing at a point 163 feet north of Cannon Street East and extending to a point 47 feet northerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

iv. Permit Parking**(a) No. 509 Dunsmure Road - Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident**

The Committee was in receipt of a report dated 1993 February 5 from the Director of Traffic Services respecting No. 509 Dunsmure Road - request to removal a reserved "Permit Parking" space for a disabled resident.

The Committee approved the following recommendation:

- (a) That the existing "Permit Parking" regulation on the north side of Dunsmure Road commencing at a point 96 feet east of Park Row and extending to a point 19 feet easterly therefrom be removed; and
- (b) That the existing "Permit Parking" regulation on the south side of Dunsmure Road commencing at a point 94 feet east of Park Row and extending to a point 26 feet easterly therefrom be removed; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

**(b) No. 61 William Street
- Request for a Reserved "Permit Parking" Space for a Disabled Resident**

The Committee was in receipt of a report dated 1993 February 5 from the Director of Traffic Services respecting No. 61 William Street - Request for a Reserved "Permit Parking" Space for a Disabled Resident.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the west side of William Street commencing at a point 216 feet south of Birge Street and extending to a point 23 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. John E. Zettle, No. 61 William Street; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

**(c) No. 288 Montrose Avenue -
Request for a Reserved "Permit Parking" Space for a Disabled Resident**

The Committee was in receipt of a report dated 1993 February 10 from the Director of Traffic Services respecting No. 288 Montrose Avenue - Request for a Reserved "Permit Parking" Space for a Disabled Resident.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the west side of Erin Avenue commencing at a point 45 feet south of Montrose Avenue and extending to a point 34 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Kasprick, No. 288 Montrose Avenue; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

(d) **No. 91 Gertrude Street -
Request for a Reserved "Permit Parking" Space for a Disabled Resident**

The Committee was in receipt of a report dated 1993 February 5 from the Director of Traffic Services respecting No. 91 Gertrude Street - Request for a Reserved "Permit Parking" Space for a Disabled Resident.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the north side of Gertrude Street commencing at a point 36 feet west of the extended west curb line of Rowanwood Street and extending to a point 18 feet westerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Helen Stevens, No. 91 Gertrude Street; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

(e) **No. 81 Wexford Avenue North -
Request for a Reserved Permit Parking Space for a Disabled Resident**

The Committee was in receipt of a report dated 1993 February 9 from the Director of Traffic Services respecting No. 81 Wexford Avenue North - Request for a Reserved Permit Parking Space for a Disabled Resident.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the west side of Wexford Avenue North commencing at a point 172 feet north of Dunsmure Road and extending to a point 22 feet northerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Ms. Karen Hibbs, 81 Wexford Avenue North; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

(f) **No. 192 Walnut Street South -
Removal of a Reserved "Permit Parking" Space for a Disabled Resident**

The Committee was in receipt of a report dated 1993 February 11 from the Director of Traffic Services respecting No. 192 Walnut Street South - Removal of a Reserved "Permit Parking" Space for Disabled Resident.

The Committee approved the following recommendation:

- (a) That the existing "Permit Parking" regulation on the west side of Walnut Street South commencing at a point 91 feet south of Forest Avenue and extending to a point 20 feet southerly therefrom be removed; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

- (g) **No. 28 Tiffany Street -
Request to Remove a Reserved
"Permit Parking" Space for a Disabled Resident**

The Committee was in receipt of a report dated 1993 February 16 from the Director of Traffic Services respecting No. 28 Tiffany Street - Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident.

The Committee approved the following recommendation:

- (a) That the existing "Permit Parking" regulation on the east side of Tiffany Street commencing at a point 273 feet north of Barton Street West and extending to a point 24 feet northerly therefrom be removed; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

- (h) **No. 241 Charlton Avenue West -
Request for a Reserved "Permit Parking" Space for a Disabled Resident**

The Committee was in receipt of a report dated 1993 February 11 from the Director of Traffic Services respecting No. 241 Charlton Avenue West - Request for a Reserved "Permit Parking" Space for a Disabled Resident.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the south side of Charlton Avenue West commencing at a point 150 feet east of Kent Street and extending to a point 18 feet easterly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Mary Sinclair, No. 241 Charlton Avenue West; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

- (i) **No. 185 Campbell Avenue -
Request to Remove a Reserved
"Permit Parking" Space for a Disabled Resident**

The Committee was in receipt of a report dated 1993 February 17 from the Director of Traffic Services respecting No. 185 Campbell Avenue - Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident.

The Committee approved the following recommendation:

- (a) That the existing "Permit Parking" regulation on the north side of Campbell Avenue commencing at a point 42 feet east of Agnes Street and extending to a point 20 feet easterly therefrom be removed; and
- (b) That the existing "Permit Parking" regulation on the south side of Campbell Avenue commencing at a point 10 feet east of the extended east curb line of Agnes Street and extending to a point 24 feet easterly therefrom be removed; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

vi. Removal of Bus Stops**College Route**

The Committee was in receipt of a report dated 1993 January 19 from the Director of Traffic Services respecting removal of Bus Stops - College Route.

The Committee approved the following recommendation:

That in accordance with the request by the Hamilton Street Railway Company the following bus stops be deleted:

Route 35 College

- | | |
|---------------|--|
| Westbound - | Chester Avenue, north side, 24 feet east of the centre line of Annabelle Street (N/S); and |
| Westbound - | Chester Avenue, north side, 24 feet east of the centre line of Chesley Street (N/S); and |
| Southbound - | Chesley Street, west side, 263 feet north of the centre line of Harbottle Court (M/B); and |
| End of Line - | Chesley Street, west side, 83 feet north of the centre line of Stone Church Road West (N/S). |

vii. Installation of Parking Meters at Various Locations

The Committee was in receipt of a report dated 1993 January 20 from the Director of Traffic Services respecting the Installation of Parking Meters at Various Locations.

The Committee approved the following recommendation:

- (a) That three-hour metered parking be implemented on both sides of Robinson Street between Park Street South and MacNab Street South;
and
- (b) That three-hour metered parking be implemented on both sides of Herkimer Street between James Street South and Park Street South;
and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

viii. **Intersections of Britannia Avenue at Glassco Avenue North
and Britannia Avenue at Adair Avenue North**

The Committee was in receipt of a report dated 1993 January 28 from the Director of Traffic Services respecting the intersections of Britannia Avenue at Glassco Avenue North and Britannia Avenue at Adair Avenue North.

The Committee approved the following recommendation:

(a) That a "No Stopping" regulation be implemented:

- on the north side of Britannia Avenue commencing at Glassco Avenue North and extending to a point 60 feet westerly therefrom,
- on the north side of Britannia Avenue commencing at Glassco Avenue North and extending to a point 60 feet easterly therefrom,
- on the north side of Britannia Avenue commencing at Adair Avenue North and extending to a point 60 feet westerly therefrom,
- on the north side of Britannia Avenue commencing at Adair Avenue North and extending to a point 60 feet easterly therefrom; and

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

ix. **Appointment of Parking Control Officers**

The Committee was in receipt of a report dated 1993 February 5 from the Director of Traffic Services respecting the appointment of Parking Control Officers.

The Committee approved the following recommendation:

(a) That, in accordance with Section 15 (1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Peter Emery
Richard Fader
Melvin Barlow
William London
William Warburton
Henry Robertson
Howard Murray

(b) That the following appointments as Parking Control Officers be repealed:

Uriel Thompson
Lawrence Cardinal
Frederick Smith
Brian Crabbe

x. **Intersection of Case Street and Lottridge Street - Corner Clearance**

The Committee was in receipt of a report dated 1993 February 16 from the Director of Traffic Services respecting the intersection of Case Street and Lottridge Street.

The Committee approved the following recommendation:

- (a) That a "No Stopping" regulation be implemented on the west side of Lottridge Street commencing at Case Street and extending to a point 50 feet southerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

xi. **No. 41 Isabel Avenue -
Discharge of Residential Boulevard Parking Agreement**

The Committee was in receipt of a report dated 1993 February 9 from the Director of Traffic Services respecting No. 41 Isabel Avenue - Discharge of Residential Boulevard Parking Agreement.

The Committee approved the following recommendation:

- (a) That the existing residential boulevard parking agreement registered as Instrument No. 41066 to the property at No. 41 Isabel Avenue be discharged, at the property owners' expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.

x. **Availability of Disabled Parking at No. 1 Hunter Street East**

The Committee was in receipt of a report dated 1993 January 28 from the Director of Traffic Services respecting the availability of disabled parking at No. 1 Hunter Street East.

The Committee approved the following recommendation:

- (a) That the Regional Council be advised that the City of Hamilton Traffic By-law does not provide for reserved disabled parking spaces on City streets; and
- (b) That a recommendation be forwarded to the Regional Department of Social Services that reserved disabled parking spaces be provided within existing parking areas on their own property.

C. COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES**i. Temporary Street Closures****(a) MacNab Street between King Street and Main Street**

The Committee was in receipt of a report dated 1993 February 23 from the Senior Director of Roads respecting MacNab Street between King Street and Main Street.

The Secretary informed the Committee that the applicant had determined that the Sunday, 1993 March 21 date was no longer required for street closure.

Subsequently, the Committee approved the amended recommendation:

That the application of N. Wimbush, agent for Ainsworth Electric Co. Ltd. (4 King Street West, Toronto M5H 1B6) to temporarily close MacNab Street between King Street and Main Street on Sunday 1993 March 14 from 2:00 a.m. to 2:00 p.m., to erect a crane, be approved, subject to the following conditions:

- (a) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
- (b) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
- (c) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
- (d) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as added insureds, with a provision for cross liability, and holding the Region and the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (e) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (f) That all property owners and tenants along the area of the closure be notified of the closure by the applicant at least four weeks prior to the closure in a form acceptable to the Commissioner of Transportation/Environmental Services.

(b) MacNab Street between King Street and Main Street

The Committee was in receipt of a report dated 1993 February 19 from the Senior Director of Roads respecting MacNab Street between King Street and Main Street.

The Committee approved the following recommendation:

That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of B. D'Aloisio, agent for Cooper Corporation Limited (85 The East Mall, Toronto Ontario, M8Z 5W4) to temporarily close MacNab Street South between King Street and Main Street, to erect a crane, subject to the following conditions:

- (a) That approval from Regional Police Services be received;
- (b) That the applicants provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (d) That all barricading be supplied by and at the expense of the applicants;
- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
- (f) That the applicants ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizers;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;

(c) YWCA Road Race

The Committee was in receipt of a report dated 1993 February 2 from the Senior Director of Roads respecting the YWCA Road Race.

The Committee approved the following recommendation:

That the action of the Commissioner of Transportation/Environmental Services Group be confirmed in approving the application of E. Hicken, agent for the Hamilton YWCA (R.R. No. 1, Canfield, Ontario) to temporarily close MacNab Street between Main Street and Hunter Street, from 1:00 p.m. to 2:00 p.m. on Sunday 1993 February 14, subject to the following conditions:

- (a) That approval from the Regional Police Services be received;

- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

ii. **Advertent Encroachments**

(a) **Access Ramp - Royal Connaught Hotel**

The Committee was in receipt of a report dated 1993 February 23 from the Senior Director of Roads respecting an advertent encroachment, access ramp in front of 82 King Street East.

The Committee approved the following recommendation:

That the application of M. Costanza, agent for Montreal Trust operating as the Royal Connaught Hotel (112 King Street East, Hamilton L8N 1A8) to install an access ramp in front of 82 King Street East, be approved, subject to the following conditions:

- (a) The applicant enter into an Encroachment Agreement in a form satisfactory to the Commissioner of Transportation/Environmental Services and the Law Department;
- (b) The applicant pay a one time fee of \$241. for processing and registration and an annual fee of \$34.;
- (c) That the applicant's contractor be bonded with the Region of Hamilton-Wentworth and the City of Hamilton to make excavations on City Streets or Regional roads;
- (d) The Mayor and the City Clerk be authorized to sign and execute all necessary documents to execute this agreement;

(b) **Communication Cable Installation, Arvin Avenue**

The Committee was in receipt of a report dated 1993 February 19 from the Senior Director of Roads respecting communication cable installation on Arvin Avenue.

The Committee approved the following recommendation:

That the application of P. Finn, agent for Unitel Communications Inc. (200 Wellington Street West, Toronto M5V 3C7) to install a buried fibre optic cable on Arvin Avenue immediately east of Gray's Road, to the eastern limits of the City of Hamilton, for a length of 30 metres, be approved, subject to the following conditions:

- (a) The applicant enter into an Encroachment Agreement in a form satisfactory to the Commissioner of Transportation/Environmental Services and the Law Department;
- (b) The applicant pay a one time fee of \$220.40 for processing and registration and an annual fee of \$20.;
- (c) That the applicant be bonded with the Region of Hamilton-Wentworth and the City of Hamilton to make excavations on City Streets or Regional roads;
- (d) The Mayor and the City Clerk be authorized to sign and execute all necessary documents to execute this agreement.

iii. **Encroachment Agreements**

The Committee was in receipt of a report dated 1993 February 19 from the Senior Director of Roads respecting encroachment agreements.

The Committee approved the following recommendation:

- (a) That the applications to retain inadvertent encroachments at the following locations be approved during the pleasure of City Council:

	Location	Type of Encroachment	First Year/Annual	File Number
I.	55 Keth Street	Concrete Steps measuring 3.0' x 1.2'	\$132/\$20	T103-50
ii.	73 Garfield Avenue South	Stairs measuring 0.28 x 15.00' retaining walls measuring 0.63' x 6.00' and 0.74' x 6.00'	\$131/\$20	T103-50

(b) That approval be subject to the following:

- i. That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- ii. That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
- iii. That the first year fees and subsequent annual fees as outlined in recommendation (a) i. and ii. be set for the encroachments.

iv. 1993 Servicing Expenditures Related to Subdivisions

The Committee was in receipt of a report dated 1993 February 19 from the Senior Director of Roads respecting 1993 Servicing Expenditures Related to Subdivisions.

The Committee approved the following recommendation:

- (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated cost of services in;

"WISEMOUNT ESTATES - PHASE 2", Hamilton

City's Share \$ 132,006.40 Subdivider's Share \$ 229,954.79

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Wisemount Estates - Phase 2", Hamilton.
- (c) That approval of the above noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- (d) That in the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement they should be allowed to do so at their own risk provided they enter into standard agreement with the City of Hamilton for pre-servicing.
- (e) That the City's share for the cost of services in "Wisemount Estates - Phase 2, (\$ 132,006.40) be approved and the Finance and Administration Committee recommend the source of funding for this project.

v. **1993 Maintenance Costs for
Automatic Protection at Level Crossings**

The Committee was in receipt of a report dated 1993 February 23 from the Senior Director of Roads respecting 1993 Maintenance costs for Automatic Protection at Level Crossings.

The Committee approved the following recommendation:

- (a) That the Commissioner of Transportation/Environmental Services be authorized and directed to issue purchase orders, on behalf of the City of Hamilton, for maintenance costs for automatic protection at level crossings, as follows:

CN Rail -	\$ 40,000.
CP Rail -	\$ 113,000.

- (b) That the expenditures be charged to Account No. CH57408 52010.

vi. **Incorporating Certain City Lands into Various Streets by By-law**

The Committee was in receipt of a report dated 1993 February 11 from the Senior Director of Roads respecting incorporating certain city lands into various streets by by-law.

The Committee approved the following recommendation:

- (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access to newly registered subdivision developments:

Harbottle Court	Part 2	Plan 62R-11994
MacNab Street	Parts 2 and 4	Plan 62R-9048
Jackson Street	Parts 1 and 3	Plan 62R-9048

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

D. DIRECTOR OF PROPERTY**Option to Purchase -****Parts 14 and 15, Reference Plan 62R-12439****Lands Required for Road Allowance - Proposed Carson Drive****Offer to Purchase -****Parts 3, 4, 6, 7, 9 and 11, Reference Plan 62R-12439****Lands in Excess of Standard Road Allowance**

The Committee was in receipt of a report dated 1993 February 23 from the Senior Director of Property respecting an Option to Purchase - parts 14 and 15, Reference Plan 62R-12439 Lands Required for Road Allowance - Proposed Carson Drive and an Offer to Purchase - Parts 3, 4, 6, 7, 9 and 11, Reference Plan 62R-12439, Lands in Excess of Standard Road Allowance.

The Committee approved the following recommendation:

- (a) That an Option to Purchase Agreement by the City, duly executed by 822827 Ontario Inc. (John A. Parente, Secretary), on 1993 January 18, and scheduled for closing on or before 1993 April 23, for the lands situated in the Regional Municipality of Hamilton-Wentworth, composed of part of Lot 3, Concession 6, being irregularly shaped parcels of vacant land, designated as Parts 14 and 15 on Reference Plan 62R-12439, and containing a total area of 0.0108 hectares (0.0266 acres) more or less, be approved and completed, and the purchase price of \$4. be charged to Account No. CH5X323 00102 (Reserve for Property Purchases).
- (b) That an Offer to Purchase Agreement on behalf of 822827 Ontario Inc., duly executed by John A. Parente, Secretary, on 1993 January 18, and scheduled for closing on or before 1993 April 23, for the lands situated in the Regional Municipality of Hamilton-Wentworth, composed of part of Lot 3, Concession 6, and designated as Parts 3, 4, 6, 7, 9 and 11 on Reference Plan 62R-12439, and containing a total area of 0.0100 hectares (0.024 acres) more or less, be approved and completed and the funds derived from this sale of \$4. be credited to Account No. CH4X501 00107 (Reserve for City Share of Services Through Unsubdivided Lands).
- (c) That it is understood and acknowledged that all Regional and City land and servicing costs (where applicable) associated with the proposed Carson Drive and a portion of Landron Avenue to facilitate the development of Wisemount Estates Phase 2, will be recovered prior to the registration of the final plan of subdivision in accordance with City and Regional Policy and the respective Agreements.
- (d) That it is understood and agreed that should the developer fail to pay all costs for services and land associated with said development on or before 1995 January 15, the City shall have the option to repurchase said lands for \$2.
- (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

E. MANAGER OF PURCHASING**i. Supply and Delivery of Signal Heads, Traffic Department**

The Committee was in receipt of a report dated 1993 February 19 from the Manager of Purchasing respecting the supply and delivery of signal heads, Traffic Department.

The Committee approved the following recommendation:

That a purchase order be issued to Econolite Canada Inc., Scarborough, for the supply and delivery of Signal Heads as and when required during 1993 by the Traffic Department, being the lowest of four tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be finance through Traffic Signal Materials Account No. CH56152 75999.

ii. Slot Cutting of Asphalt and Concrete Roadways, Traffic Department

The Committee was in receipt of a report dated 1993 February 22 from the Manager of Purchasing respecting the slot cutting of asphalt and concrete roadways, Traffic Department.

The Committee approved the following recommendation:

That a purchase order be issued to D & D Diamond Cutting & Coring Inc., Niagara Falls, for Slot Cutting of Asphalt and Concrete Roadways for the installation of Traffic Vehicle Detection Wire (Loops) as and when required during 1993 and 1994 by the Traffic Department, being the lowest of four quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Contractual Services Account No. CH56364 75999.

iii. Removal of Pavement Markings, Traffic Department

The Committee was in receipt of a report dated 1993 February 22 from the Manager of Purchasing respecting the removal of pavement markings, Traffic Department.

The Committee approved the following recommendation:

That a purchase order be issued to A & A Restoration's, Hamilton, for Removal of Pavement Markings using Sandblasting Equipment as and when required during 1993 and 1994 by the Traffic Department, being the lowest of four quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Contractual Services Account No. CH56364 75999.

F. SECRETARY, TRANSPORT AND ENVIRONMENT COMMITTEE

The Committee was in receipt of a report dated 1993 February 23 from the Secretary, Transport and Environment Committee respecting Information Reports.

The Committee approved the following recommendation:

That the attached information reports that were previously distributed to the Transport and Environment Committee, be received.

Date	From	Subject	Date Distributed
1993 February 19	P. J. Halliday Senior Director Environmental Services Department	Establishment of a PCB Storage Facility by the Hamilton-Wentworth Roman Catholic Separate School Board	1993 February 24
1993 February 9	Murray F. Main Director of Traffic	Activities in the Parking Control Section of the Traffic Department (TEC-16-93)	1993 February 24
1993 February 10	Ted Gill, Senior Director of Roads Jim Hindson, Senior Director Information Systems Jim Thoms Commissioner of Planning and Development Department	PaRCIL Project 1992 Annual Report (RDS 93-85)	1993 February 24
1993 February 15	Doug Lobo Director of Public Works	1993 Tree Stake Removal Programme	1993 February 24

3. COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES**Hotz Environmental Services' Application to Amend Their
Certificate of Approval for a Waste Disposal Site (Processing) File No. A100146**

The Committee was in receipt of a report dated 1993 February 19 from the Senior Director of Environmental Services respecting Hotz Environmental Services' application for amend their Certificate of Approval for a Waste Disposal Site (Processing) File No. A100146.

Alderman Morelli expressed concern with the proximity of the Hotz Waste Disposal Site to the surrounding neighbourhood considering the hazardous material which the site would be receiving such as hypodermic needles. Mr. Halliday explained that the Hotz proposal is to collect syringes in standard puncture-resistant containers provided by the Ministry of the Environment for licensed biomedical waste disposal companies. He added that the containers will be temporarily refrigerated and regularly moved by licensed receivers for safe destruction. This site is only a temporary transfer station.

Subsequently, the Committee requested that Mr. Halliday provide an information report to the Committee prior to the next City Council meeting detailing what the limit or maximum of material to be received by Hotz is; what the time limit that the material is allowed to remain on the site is; and subsequently, where the material is to be transferred to.

Following further discussion, the Committee approved the following recommendation:

- (a) That the West Central Branch of the Ontario Ministry of the Environment be advised that the City of Hamilton has no objection to Hotz Environmental Services receiving an amendment to their existing Provisional Certificate of Approval No. A100146 for a Waste Disposal Site (Processing) located at 239 Lottridge Street, Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry of the Environment, and that all applicable City of Hamilton and Regional By-laws are complied with fully;
- (b) That a copy of this report and the corresponding City Council resolution be submitted to the West Central Branch of the Ministry of the Environment for their consideration in the preparation of amendments to the existing Provisional Certificate of Approval.
- (d) That the Ministry of the Environment be requested to forward a copy of the amended Provisional Certificate of Approval to the City of Hamilton and the Regional Municipality of Hamilton-Wentworth upon its completion.

***Alderman Kiss recorded opposed.**

4. DIRECTOR OF TRAFFIC SERVICES**Levels of Various Parking Violation Fines**

The Committee was in receipt of a report dated 1993 February 19 from the Director of Traffic Services respecting the levels of various parking violation fines.

Mr. Marty Hazell spoke to the issue and stated that as directed by the Committee, he had held meetings with the various B.I.A.'s in the City to discuss the increase in parking violation penalties. He stated that the recommendation as presented was voted on and agreed to by the B.I.A.'s in attendance at that meeting.

Subsequently, the Committee approved the following recommendation:

- (a) That, subject to the Regional Council enacting a corresponding By-law change for violations on Regional roads, the following parking violation fines be increased effective 1993 July 1:
 - overtime parking in time limit areas from \$6. to \$10.
 - overtime parking at meters from \$6. to \$8.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

5. CHIEF ADMINISTRATIVE OFFICER**Merging Fleet Services Function**

The Committee was in receipt of a report dated 1993 February 24 from the Chief Administrative Officer respecting the merging of the Fleet Services Function.

Mr. Pavelka spoke to the issue and detailed the background information of his report. He stated that his intention was to give the Committee's endorsement on proceeding with the study to consider the merging of the Fleet Services function and that he would present his findings to the Transport and Environment Committee including cost savings to the Corporation when it was complete. Subsequently, the Committee agreed that Sub-Section (a) be amended by deleting the word "merged" and replacing it with "consider for merger".

The Committee then approved the following amended recommendation:

- (a) That the City Garage function presently in the Treasury Department be considered for merger with the Fleet Services Division in the Public Works Department.
- (b) That the Chief Administrative Officer and the Director of Public Works report back to the Transport and Environment Committee and the Finance and Administration Committee with a recommendation on the organizational structure.

The Chairman then suggested and the Committee agreed to conduct a tour of the Public Works Department's Central Garage to see the operation and meet the new manager of Fleet Services. He then directed the Secretary to make the necessary arrangements for this tour.

6. DIRECTOR OF PUBLIC WORKS/CHIEF ADMINISTRATIVE OFFICER**Downsizing Sanitation Crews from Three Men to Two Men**

The Committee was in receipt of a report dated 1993 February 24 from the Director of Public Works and Chief Administrative Officer respecting downsizing the sanitation crews from three men to two men.

Mr. Pavelka spoke to the issue and detailed the background of the recommendation as presented. The Committee discussed the recommendation and subsequently amended it by inserting in the second line after "Local 5", the comments "to prepare a feasibility study for the Transport and Environment Committee's consideration".

The Committee then approved the following recommendation:

That the Chief Administrative Officer, the Director of Public Works and the Commissioner of Human Resources collaboratively work with Local 1041 and Local 5 to prepare a Feasibility Study for the Transport and Environment Committee's consideration to reduce the labour force in the Sanitation Division of Public Works by replacing the existing 3-man crew per garbage truck to a 2-man crew per garbage truck by 1993 December 31.

The Chairman suggested that a trial run of a one-week period prior to the report being presented should be undertaken.

7. SECRETARY, TRANSPORT AND ENVIRONMENT COMMITTEE**The Corporation of the Township of Gordon
Refundable Cans and Bottles by the Beverage Industry**

The Committee was in receipt of correspondence from the Corporation of the Township of Gordon dated 1992 November 24 respecting refundable cans and bottles by the Beverage Industry. The Committee agreed that the item be received.

8. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

Kevin C. Christenson
Secretary
1993 March 1

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

2(BXixa

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 February 11

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

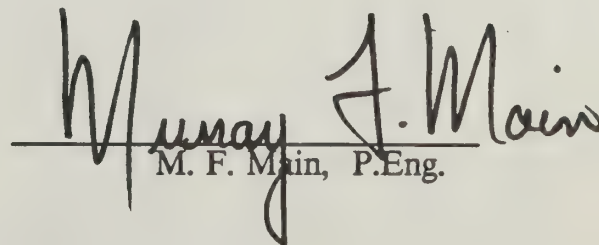
East Side of Huxley Avenue North, North of Main Street East - Parking Meters. [TEC-48-93]

RECOMMENDATION:

- a) That the existing "One Hour Metered Parking" regulation on the east side of Huxley Avenue North commencing at Main Street East and extending to a point 95 feet northerly therefrom be replaced with a "Two Hour Metered Parking" regulation; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of modifying the subject meters.


M. F. Main, P.Eng.

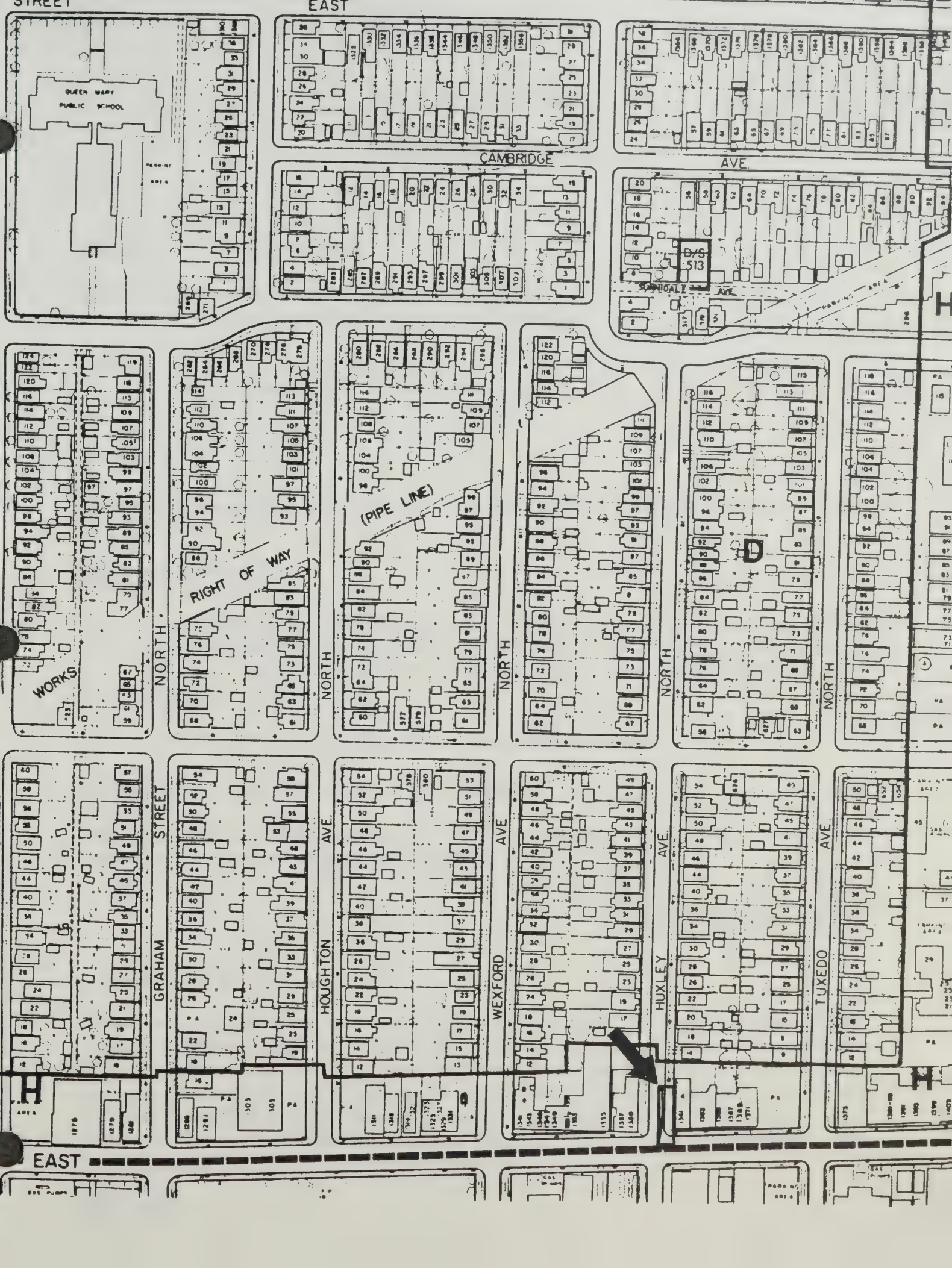
BACKGROUND:

The Parking Authority has forwarded a letter dated 1993 January 15, from Dr. Peter A. Syred, No. 1361 Main Street East, requesting that the existing "One Hour Metered Parking" regulation on Huxley Avenue North be replaced with a "Two Hour Metered Parking" regulation.

Dr. Syred has a dental practice at this location and the parking meters on Huxley Avenue are adjacent to his office. He has stated in his letter that his patients require additional time for parking during office visits. The Traffic Department has no objection to replacing the existing "One Hour Metered Parking" regulation with a "Two Hour Metered Parking" regulation.


MT/CVB/ks

EAST



2(b)(1)(b)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 15

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

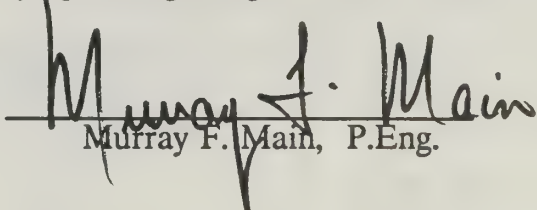
West side of Kensington Avenue North, north of Main Street East - Parking Meters. [TEC-62-93]

RECOMMENDATION:

- a) That the existing "One Hour Metered Parking" regulation on the west side of Kensington Avenue North commencing at Main Street East and extending to a point 116 feet northerly therefrom be replaced with a "Two Hour Metered Parking" regulation; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

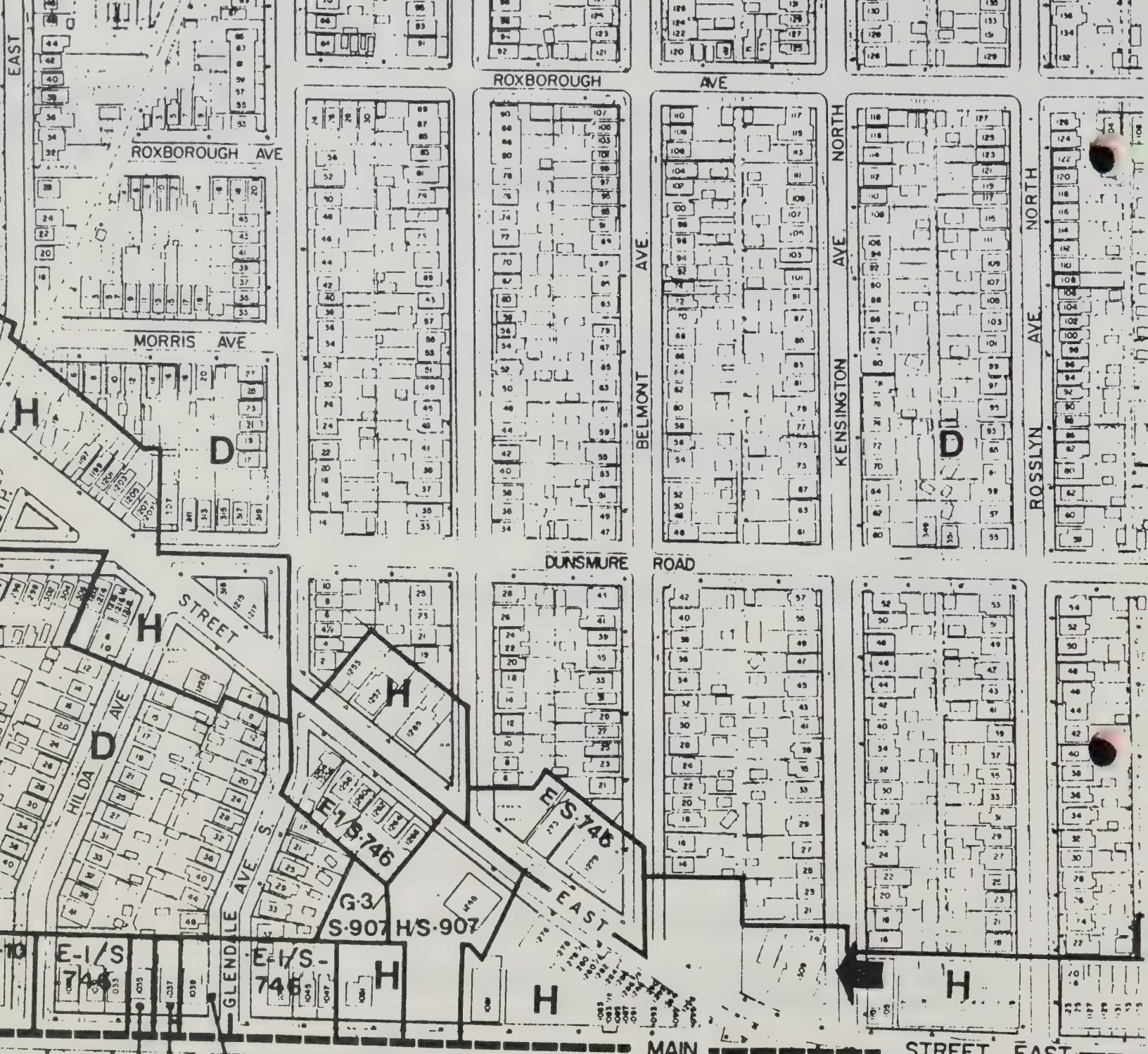
Sufficient funds are provided in the 1993 Parking Authority operating budget estimates to cover the cost of converting the subject meters.


Murray F. Main, P.Eng.

BACKGROUND:

Staff have received a request from Mr. Esad Becirspahic, proprietor of Main Billiard Lounge, 1101 Main Street East, that the duration of the existing parking meters on the west side of Kensington Avenue North, north of Main Street East be changed from a one hour to a two hour duration. Staff have contacted all seven of the businesses on the north side of Main Street East between Belmont Avenue and Rosslyn Avenue North and all are in favour of the requested regulation change. Therefore, staff concur with the request. The Parking Authority has also advised that they concur with the request.


MT/CVB/ks



-1/S-746a
E-1/S-746b
E-1/S-746

26XiiXa

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 15

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

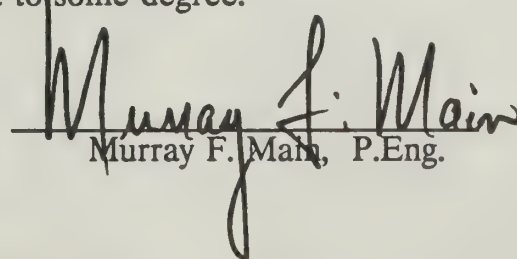
No. 31 Devonport Street - Request for a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-69-93]

RECOMMENDATION:

- a) That a "Permit Parking" regulation be implemented on the west side of Devonport Street commencing at a point 128 feet south of York Boulevard and extending to a point 17 feet southerly therefrom; and
- b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Owczarek, No. 31 Devonport Street; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$12.00 annual charge for the parking permit will off-set the cost to some degree.


Murray F. Main, P.Eng.

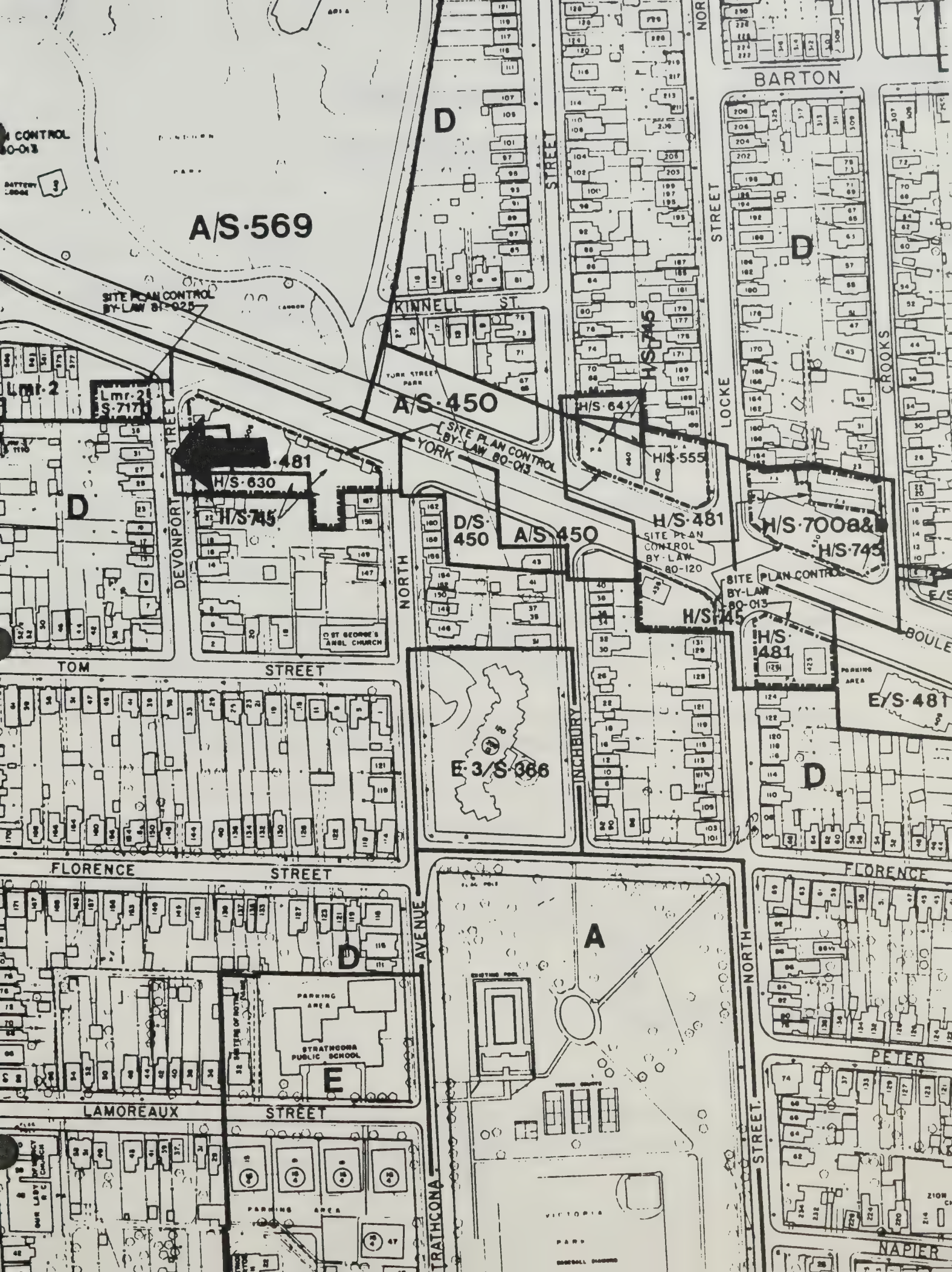
BACKGROUND:

Staff have received a request from Mr. Owczarek, No. 31 Devonport Street, that a reserved "Permit Parking" space be designated on the west side of Devonport Street in front of his home since he is disabled.

Devonport Street has a 28 foot pavement width, and presently, there is a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on both sides of the street except for a portion of unrestricted parking on the east side of the street adjacent to the commercial business on the corner of York Boulevard and Devonport Street.

The City Council, on 1987 December 08, approved a policy to allow for the implementation of individual reserved "Permit Parking" spaces in front of disabled residents homes. This policy requires, in part, that the applicant possess a valid disabled permit issued by the Ministry of Transportation. The Traffic Department has confirmed that Mr. Owczarek possesses a valid permit. An investigation has revealed that there is no suitable alternative parking area available on the private property. Therefore, the Traffic Department concurs with the request.


MT/CVB/ks



A/S-569

SITE PLAN CONTROL
BY-LAW 80-013

A/S-450

SITE PLAN CONTROL
BY-LAW 80-013

H/S-630

H/S-745

H/S-641

H/S-555

H/S-481

SITE PLAN CONTROL
BY-LAW 80-120

H/S-700a&

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S-1481

E/S-481

E-3/S-366

A

E

D

AVENUE

NORTH

STREET

NAPIER

PETER

FLORENCE

TRATHCONA

LAMOREAUX

STREET

FLORENCE

STREET

TOM

STREET

DEVONPORT

STREET

NORTH

STREET

STREET

LOCKE

STREET

BARTON

NOR

CROOKS

STREET

D

D

D

D/S

450

A/S-450

43

37

39

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

34

26XiiX

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 15

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

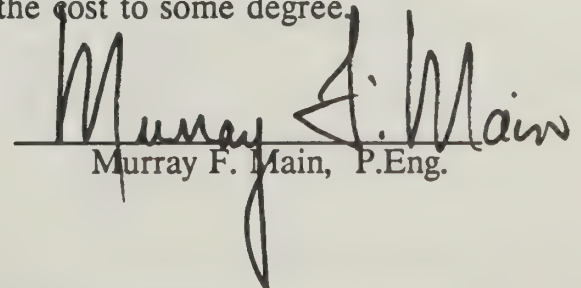
No. 17 Garfield Avenue North - Request for a "Permit Parking" Space for a Disabled Resident. [TEC-70-93]

RECOMMENDATION:

- a) That a "Permit Parking" regulation be implemented on the west side of Garfield Avenue North commencing at a point 205 feet north of King Street East and extending to a point 20 feet northerly therefrom; and
- b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Giovanni Bartolomeo, No. 17 Garfield Avenue North; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$12.00 annual charge for the parking permit will off-set the cost to some degree.


Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a request from Mr. Bartolomeo, No. 17 Garfield Avenue North, that a reserved "Permit Parking" space be designated on the west side of the street in front of his home since he is disabled.

Garfield Avenue has a 28 foot pavement width, and presently, there is unrestricted parking on both sides of the street as well as "No Parking" corner clearances north of King Street East.

The City Council, on 1987 December 08, approved a policy to allow for the implementation of individual reserved "Permit Parking" spaces in front of disabled residents homes. This policy requires, in part, that the applicant possess a valid disabled permit issued by the Ministry of Transportation. The Traffic Department has confirmed that Mr. Bartolomeo possesses a valid permit. An investigation has revealed that there is no suitable alternative parking area available on the private property. Therefore, the Traffic Department concurs with the request.

MT CA
MT/CVB/ks

AVENUE

ROSEMONT

ÄVENUE

SOMERSET

AVENUE

STREET

EAST

NORTH

STREET

AVENUE.

AVENUE

OTTBRIDGE

MEI ROSE

BARNESDALE

SENATOR AVENUE

STREET

FEAS

SOUTH

FLY

AVENUE .. SOUTH

SAVINGS

AVENUE

SOUTH

VINELAND

AVENUE

BRONIEŚĆ

AVENUE

FEAS



•
•

•
•



•
•

•
•



20611

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 15

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

No. 152 Locke Street North - Request for a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-68-93]

RECOMMENDATION:

- a) That a "Permit Parking" regulation be implemented on the east side of Locke Street North commencing at a point 103 feet north of York Boulevard and extending to a point 19 feet northerly therefrom; and
- b) That the Director of Traffic Services be authorized to issue one parking permit to Jennifer Wootten, No. 152 Locke Street North, and
- c) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$12.00 annual charge for the parking permit will off-set the cost to some degree.


Murray F. Main P.Eng.

BACKGROUND:

The Traffic Department has received a request from Jennifer Wootten, 152 Locke Street North, that a reserved "Permit Parking" space be designated on the east side of Locke Street North in front of her home since she is disabled.

Locke Street North has a 44 foot pavement width, and presently, there is unrestricted parking on both sides of the street except for "No Stopping" signal clearances on both sides of the street, north of York Boulevard.

The City Council, on 1987 December 08, approved a policy to allow for the implementation of individual reserved "Permit Parking" spaces in front of disabled residents homes. This policy requires, in part, that the applicant possess a valid disabled permit issued by the Ministry of Transportation. The Traffic Department has confirmed that Jennifer Wootten possesses a valid permit. An investigation has revealed that there is no suitable off-street parking available on the private property. Therefore, the Traffic Department concurs with the request.


MT/CVB/ks



S-569

A/S-450

H/S-481

S-630

H/S-745

D/S-450

A/S-450

H/S-481

SITE PLAN CONTROL
BY-LAW 80-120

H/S-7008&

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

A

D

D

D

D

H/S-745

H/S-641

H/S-55

H/S-745

H/S-481

E/S-481

H/S-520a

H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S

A/S-450

E-3/S-366

26XiiiKa

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 11

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

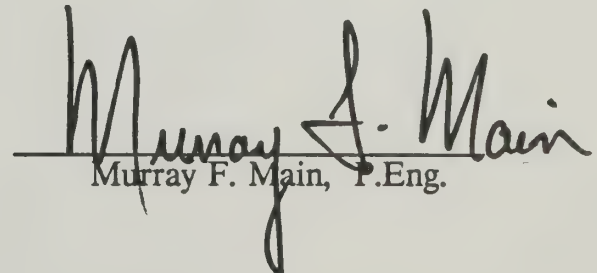
No. 25 Glamis Court - Request for a Wheelchair Loading Zone. [TEC-63-93]

RECOMMENDATION:

- a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 6:00 p.m., 7 days a week" regulation be implemented on the east side of Glamis Court commencing at a point 233 feet south of Gemini Drive and extending to a point 22 feet southerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

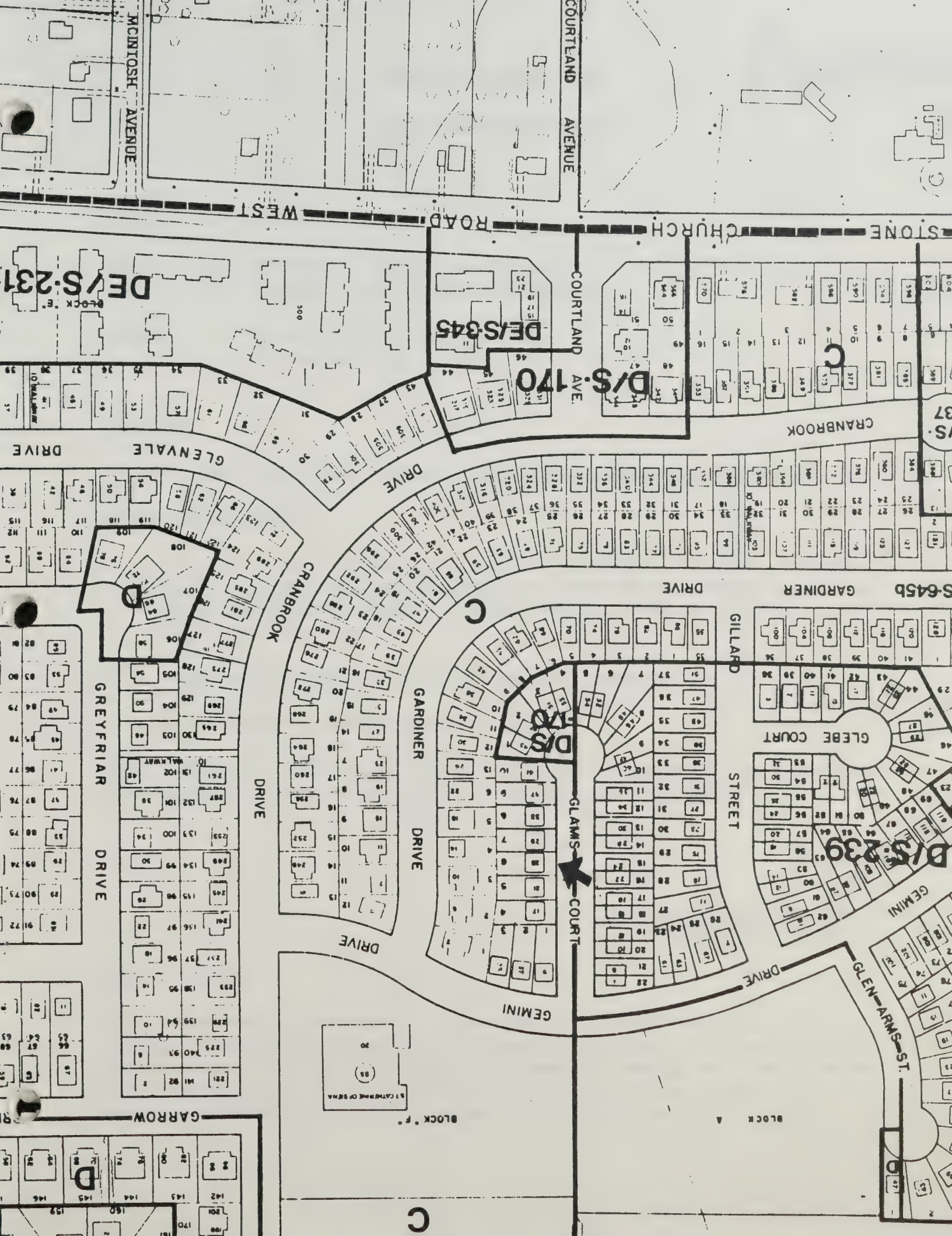

Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a request from Mr. Laplante, 25 Glamis Court, that a "No Stopping, Wheelchair Loading Only" regulation be designated on the east side of the street directly in front of his home since he is disabled and requires the frequent use of Darts buses.

Glamis Court has a 28 foot pavement width, and presently, there is unrestricted parking on both sides of the street in this area. The requested regulation would result in the loss of only one legal on-street parking space directly in front of the applicant's property. However, since the applicant has agreed to limit the hours of the regulation such that the space would be available for parking after 6:00 p.m. each evening and since there is unrestricted parking on both sides of the street for the remainder of the block, staff do not anticipate any parking problems for area residents and concur with the request.


MT/CVB/ks



26XiiiXb

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 15

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

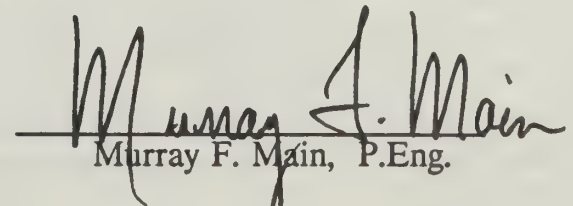
No. 200 Jackson Street West - Request for Wheelchair Loading Zone. [TEC-64-93]

RECOMMENDATION:

- a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Jackson Street West commencing at a point 94 feet east of Hess Street South and extending to a point 30 feet easterly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

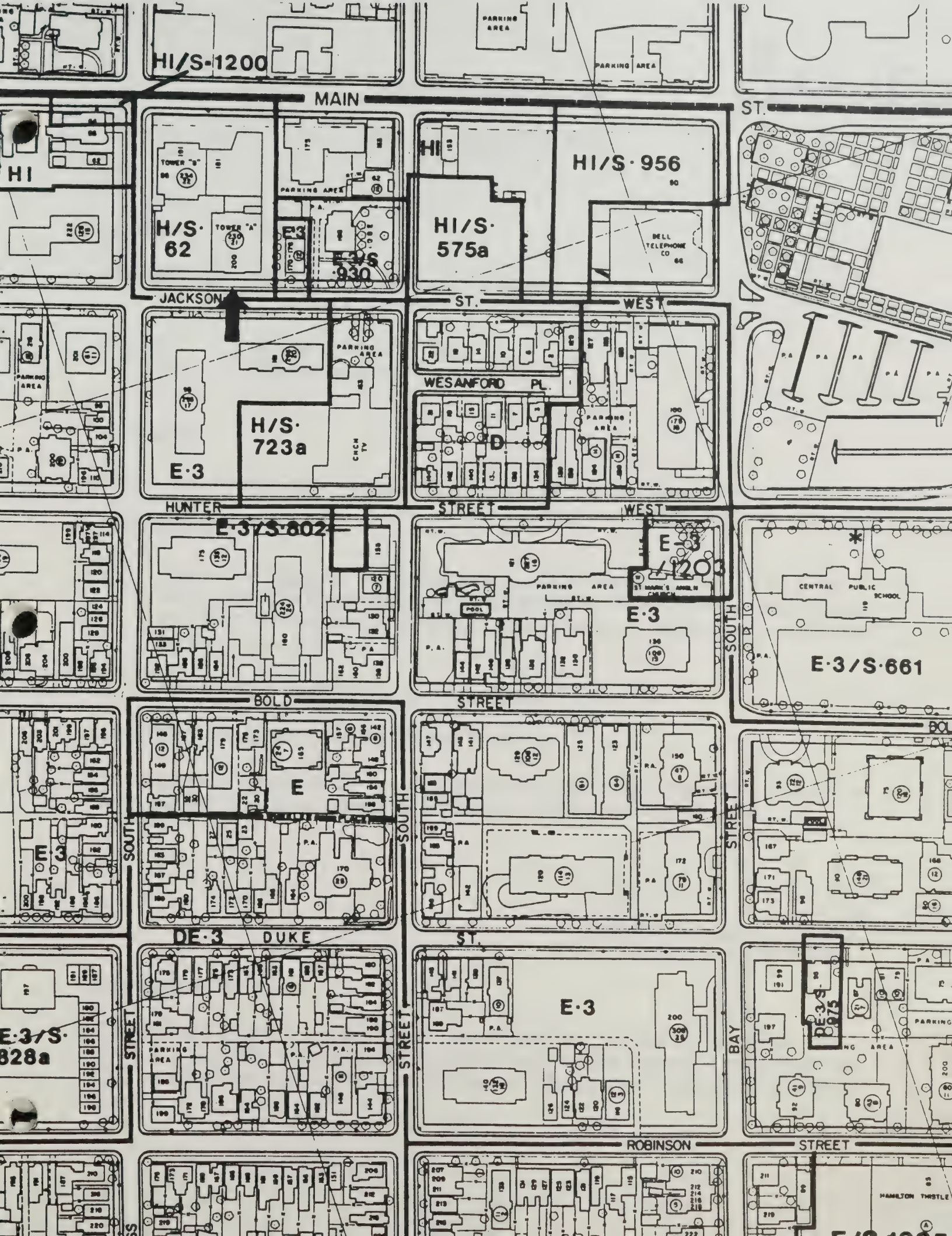

Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a request from Mrs. Ford of the Hamilton-Wentworth Housing Authority on behalf of the residents of the seniors apartment building at 200 Jackson Street West, that a "No Stopping, Wheelchair Loading Only" regulation be designated directly in front of the building on the north side of the street, since many of the residents of the building are disabled and require the frequent use of Darts buses.

Jackson Street West has a 38 foot pavement width, and presently, there is a "Commercial Vehicle Loading Zone, 8:00 a.m. to 6:00 p.m., Monday to Saturday", a "No Parking" loading zone, two metered parking spaces and a "No Stopping" corner clearance on the north side of the street in this block. The requested regulation would result in the shortening of the existing 70 foot "No Parking" loading zone directly in front of the apartment building by 30 feet. However, since loading could still occur in the designated wheelchair loading zone after 6:00 p.m. during weekdays and all day on weekends, staff do not anticipate any parking or loading problems and concur with the request.

MT *CVB*
MT/CVB/ks



2(BXiixc)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 16

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

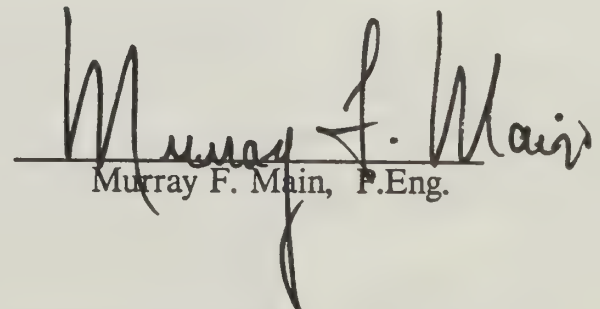
No. 59 Wood Street West - Request for a Wheelchair Loading Zone. [TEC-59-93]

RECOMMENDATION:

- a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 11:00 p.m., 7 days a week" regulation be implemented on the west side of Wood Street West commencing at a point 100 feet south of Burlington Street West and extending to a point 25 feet southerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.


Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a request from Mrs. Murphy, 59 Wood Street West, that a "No Stopping, Wheelchair Loading Only" regulation be designated on the west side of the street directly in front of her home since she is disabled and requires the use of Darts buses.

Wood Street West has a 28 foot pavement width, and presently, there is unrestricted parking on both sides of the street in this area. The requested regulation would result in the loss of only one legal on-street parking space directly in front of the applicant's property. However, since there is unrestricted parking on both sides of the street for the remainder of the block, staff do not anticipate any parking problems for area residents and concur with the request.


MT/CVB/ks

F-1/S-838

F-1

D/S-176

F-1

F-1

A

SHIMCOE

FERRIE

STREET

STREET

WEST

STREET

DE/S-65

C

DE-3

D

STREET

STREET

MACAULEY

STREET

PICTON

STREET

BURLINGTON

WOOD

BAY

LEANDER

DRIVE

D

STREET

MACNAB

NORTH

STREET

STREET

NORTH

WEST

WEST

WEST

WEST

H/S

818

587

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

577

26XiiiXd

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 16

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:


No. 18 Barons Avenue North - Request for a Wheelchair Loading Zone. [TEC-67-93]

RECOMMENDATION:

- a) That a "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Barons Avenue North commencing at a point 190 feet north of Main Street East and extending to a point 18 feet northerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

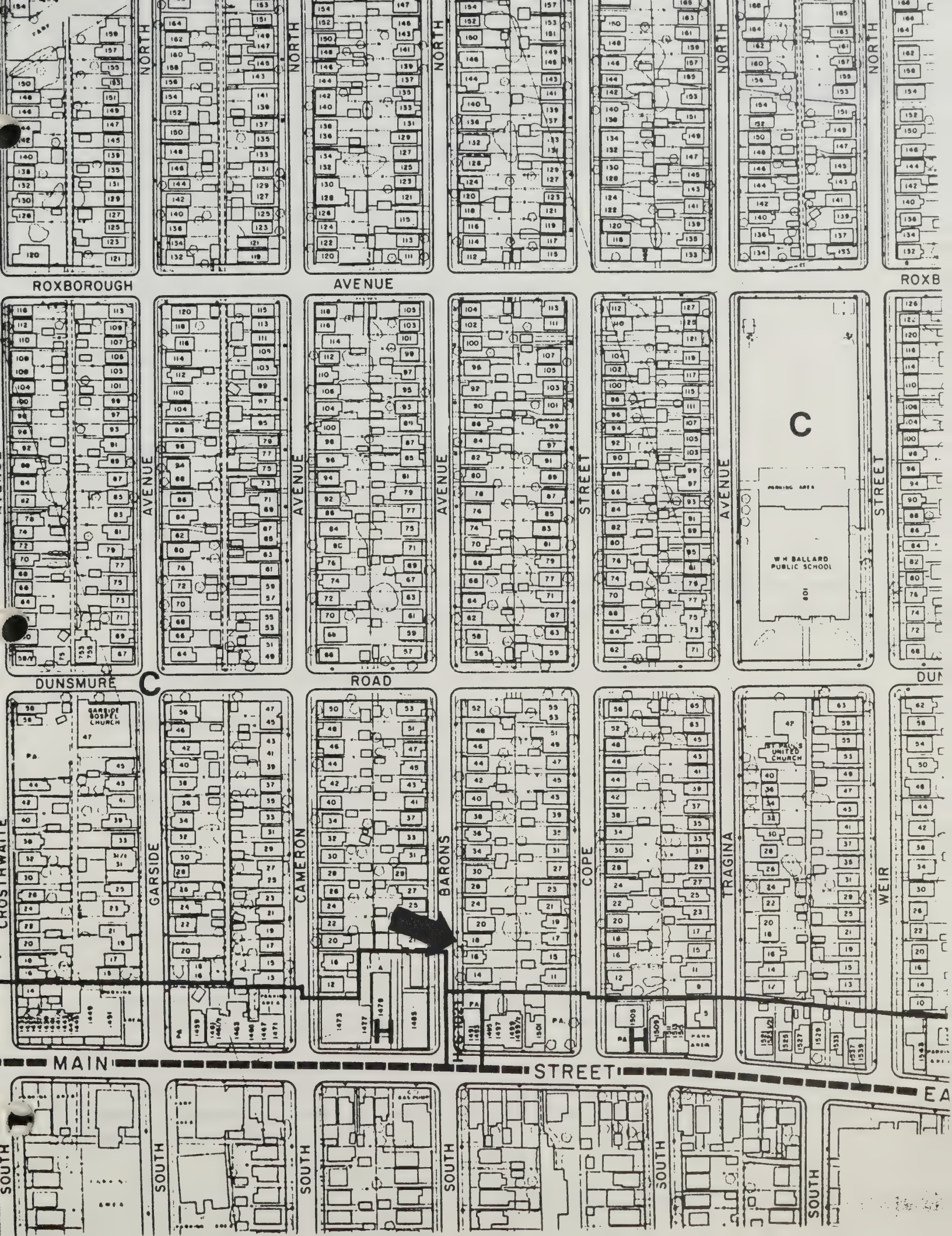

Murray F. Main, P.Eng.

BACKGROUND:

Alderman Geraldine Copps has advised of a request from Mrs. Lemp, 18 Barons Avenue North, that a "No Stopping, Wheelchair Loading Only" regulation be designated on the east side of the street directly in front of her home since her daughter is disabled and requires the use of Darts vehicles.

Barons Avenue North has a 24 foot pavement width, and presently, there is an "Alternate Side Parking" regulation on the street in this area. There is also metered parking on the east side and a "No Parking" corner clearance on the west side of the street immediately north of Main Street East. The requested regulation would result in the loss of only one legal on-street parking space directly in front of the applicant's property. However, since virtually all of the area residents have off-street parking, staff do not anticipate any parking problems for area residents and concur with the request.


MT/CVB/ks



26XivXa

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 15

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

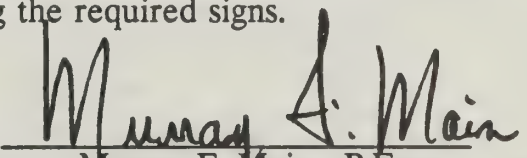
Intersection of Queen Victoria Drive and Quinn Avenue - Corner Clearances. [TEC-65-93]

RECOMMENDATION:

- a) That a "No Parking" regulation be implemented on the east side of Quinn Avenue, commencing at Queen Victoria Drive and extending to a point 119 feet southerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.


Murray F. Main, P.Eng.

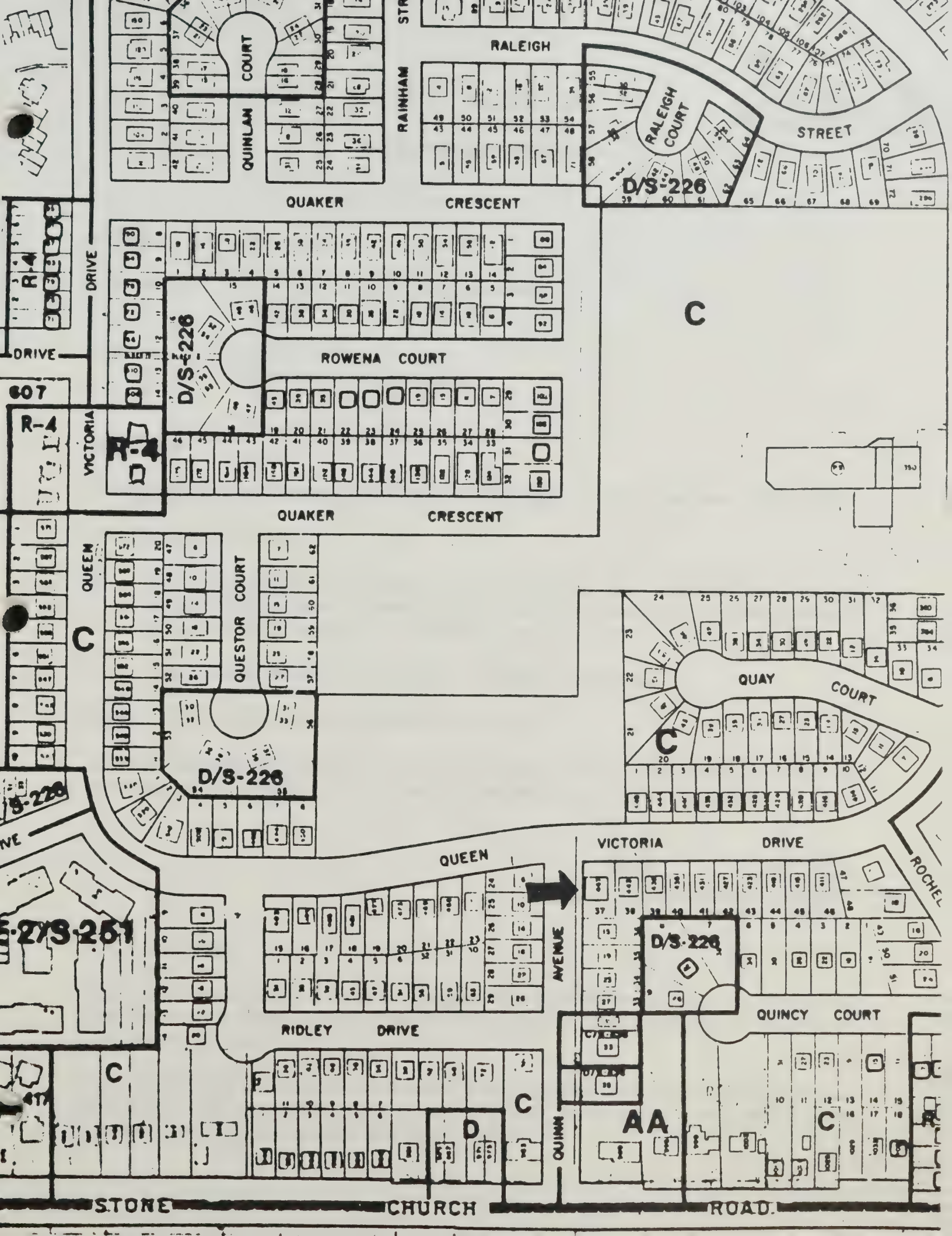
BACKGROUND:

Staff have received a request from Mrs. Pat DiTommaso, 594 Queen Victoria Drive, that a corner clearance be implemented on the east side of Quinn Avenue, south of Queen Victoria Drive to facilitate turning movements at this intersection.

Quinn Avenue has a 28 foot pavement width, and presently, there is unrestricted parking on both sides of the street in this area. Mrs. DiTommaso has expressed concern that turning movements are obstructed when vehicles are parked on both sides of Quinn Avenue, south of Queen Victoria Drive.

The implementation of the requested regulation will result in a loss of approximately five legal on-street parking spaces immediately adjacent to 447 Queen Victoria Drive. Staff have contacted the abutting resident who has advised that he agrees with the proposed regulation. Therefore, since there is unrestricted parking on the remainder on both sides of the street and since virtually all residents in this area have available off-street parking, staff do not anticipate any parking difficulties for area residents and concur with the request.


MT/CVB/ks



2(B)(iv)(b)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 February 11

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

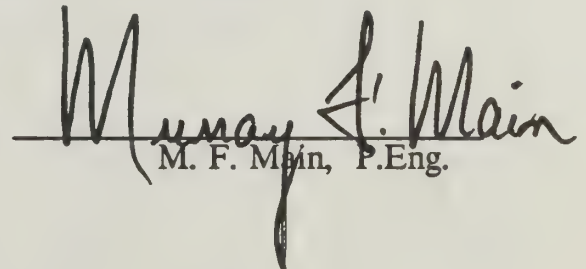
Intersection of David Avenue and Fennell Avenue East - Corner Clearance. [TEC-39-93]

RECOMMENDATION:

- a) That the existing "No Stopping" regulation on the east side of David Avenue commencing at Fennell Avenue East and extending to a point 124 feet southerly therefrom be changed to a "No Parking" regulation; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.


M. F. Main, P.Eng.

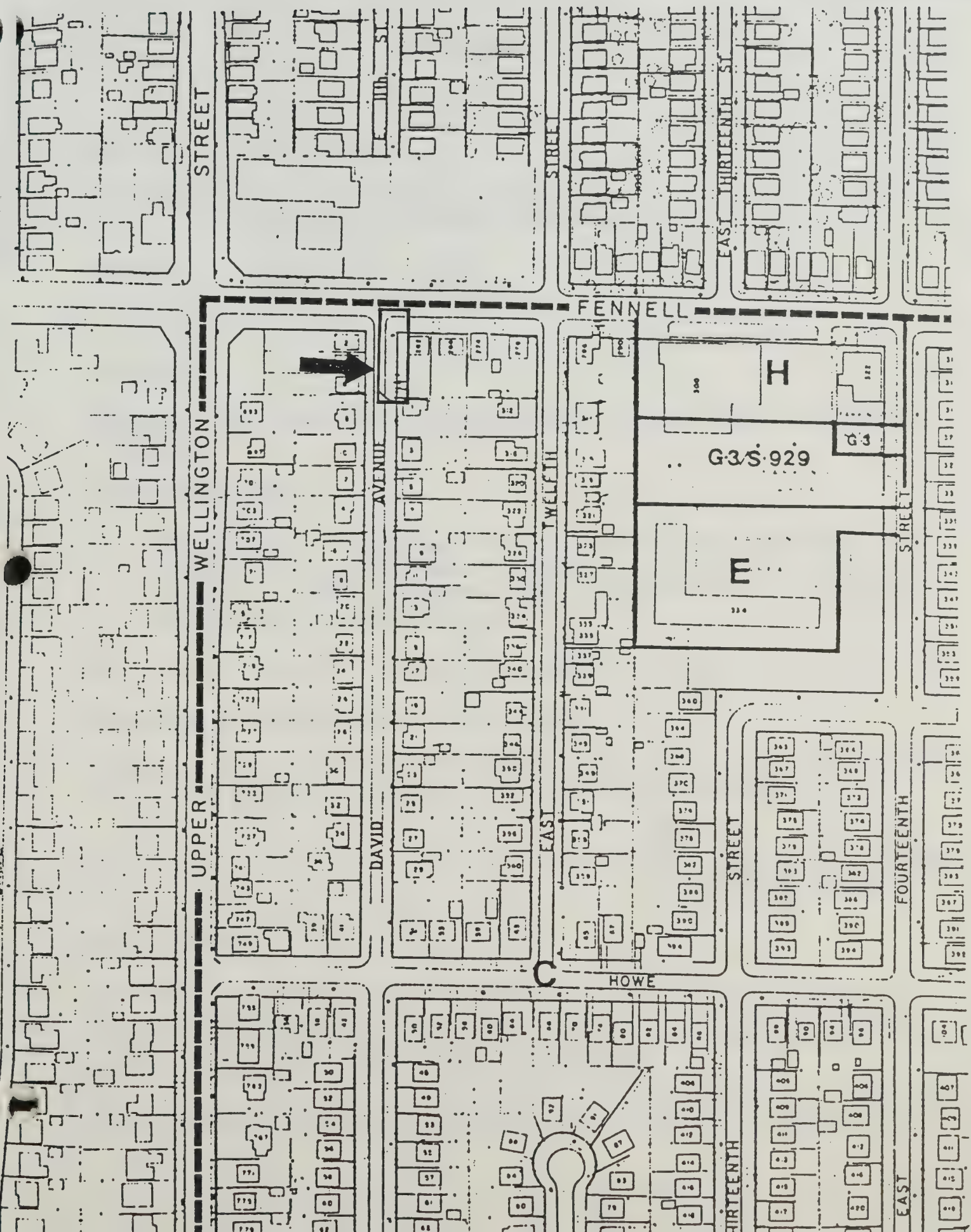
BACKGROUND:

The Traffic Department has received a request from Mrs. Moger, No. 262 Fennell Avenue East that the "No Stopping" regulation on David Avenue beside her home be changed to a "No Parking" regulation.

David Avenue has a 24 foot pavement width, and presently, there is unrestricted parking on both sides of the street except for the existing 124 foot "No Stopping" corner clearance on the east side of the street, south of Fennell Avenue.

In 1992, City Council approved a recommendation to implement a "No Stopping" corner clearance on David Avenue, south of Fennell Avenue since vehicles parking in this area were interfering with turning movements at this intersection. However, Mrs. Moger has indicated that she would like to stop her vehicle in the area presently signed "No Stopping" to load or unload her vehicle which is permitted in a "No Parking" area. The proposed "No Parking" regulation will not result in the loss of any on-street parking since the area is presently signed "No Stopping". Therefore, the Traffic Department concurs with this request.

 
MT/CVB/ks



26XivXc:

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 February 9

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

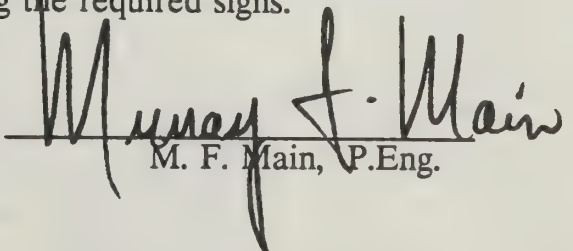
West side of Park Street South, north of Bold Street - Extension of Corner Clearance.
[TEC-40-93]

RECOMMENDATION:

- a) That the existing "No Stopping" regulation on the west side of Park Street South which commences at Bold Street and extends to a point 72 feet northerly, be lengthened, such that the regulation commences at Bold Street and extends to a point 92 feet northerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.


M. F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received concerns from Ms. Pat Foss, 111 Charles Street regarding visibility at the intersection of Park Street South and Bold Street. The subject intersection is a four-leg intersection of two one-way streets and presently, eastbound traffic on Bold is required to stop for southbound traffic on Park.

Traffic Department records indicate that the intersection has experienced an average of 1.3

collisions per year over the past seven years, and 50 percent of these collisions involved eastbound motorists who failed to yield the right-of-way to southbound traffic on Park. The other 50 percent involved eastbound motorists who failed to stop for the stop sign.

An investigation has revealed that there is a sand box on the west side of Park, north of Bold which obstructs visibility to some degree. However, a representative of the Public Works Department has advised that this sand box will be relocated to the east side of the street, where it will not pose a sight obstruction. Also, the Traffic Department recommends that the existing 72 foot corner clearance be extended 20 feet northerly to improve visibility. The loss of one on-street parking space to improve public safety should not create any parking difficulties for area residents.

Since there have been a number of eastbound motorists failing to stop for the stop signs on Bold, the Traffic Department has issued a work order to erect delineators on the eastbound stop signs in an effort to improve the visibility of the stop signs.

cd
CVB/ca

575a

CO 66

CITY HALL

HI

FOOTBALL
HALL OF
FAME

● ● ● ● ●
▲ ▲ ▲ ▲

ST.

WEST

JACKSON

WES ANFORD

不刊之論

WEST

11

E-3

E-3 / S-661

BOLD

E-3/S-10T

SEE-17/S-875

સુવિચારક

ST.

E-3

ROBINSON

STREET

E/S-1095

776

776

CHARLTON

AVENUE

WEST

DEF:

2(B)(V)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 17

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

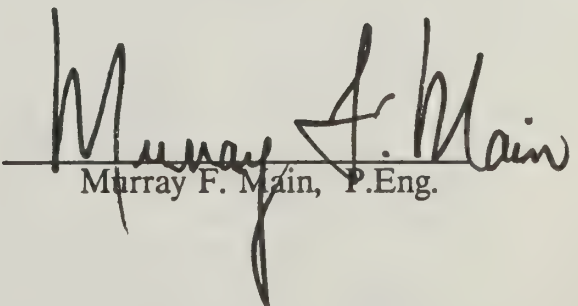
West side of Currie Street, south of DuBarry Boulevard - Taxi Stand. [TEC-61-93]

RECOMMENDATION:

- a) That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of Currie Street commencing at a point 76 feet south of the south curb line of DuBarry Boulevard and extending 60 feet southerly; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds have been provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

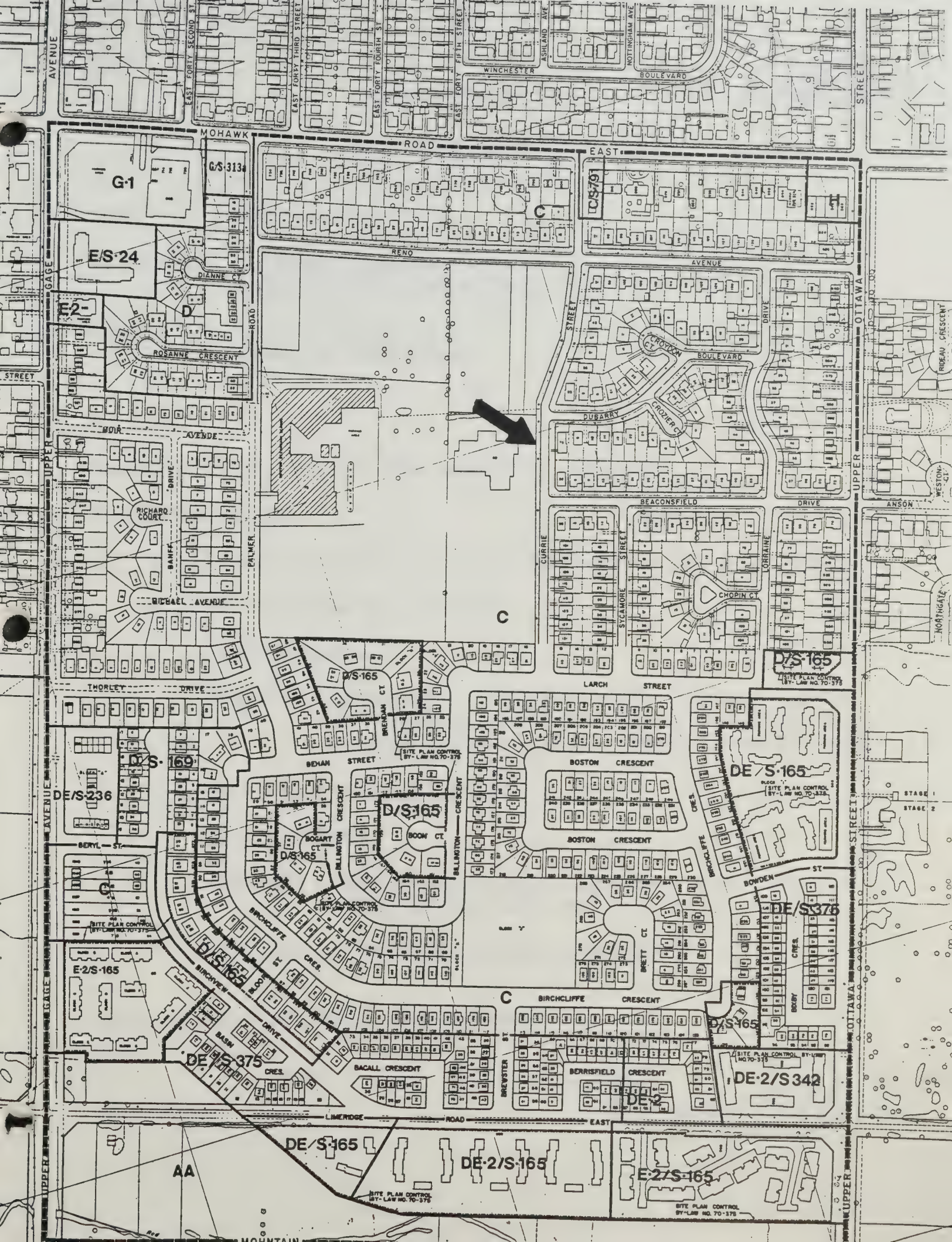

Murray F. Main, P.Eng.

BACKGROUND:

The Principal of Richard Beasley School has requested that a Taxi Stand be implemented in front of the school on the west side of Currie Street, south of DuBarry Boulevard to accommodate three taxis. Presently, parking is prohibited in this area.

Loading and unloading by all vehicles is presently permitted in the "No Parking" area. However, taxis transporting "special need" students are frequently forced to stop in the middle of the road, or long distances away from the front door. Therefore, in order to reserve an area for taxis to stop while picking up and dropping off "special need" students at the front door of Richard Beasley School, the Traffic Department concurs with the request for a Taxi Stand.

^{2nd}
TA/MH/ks



26BX.vi

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 02

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Delaware Route - Bus Stop Relocation and Removal. [TEC-57-93]

RECOMMENDATION:

a) That in accordance with the request by the Hamilton Street Railway Company:

i) the following bus stop be relocated:

Route 5 Delaware

Westbound - Whitney Avenue, north side, from 59 feet east of the east curb line of Mericourt Road (N/S) to, Whitney Avenue, north side, 81 feet west of the west curb line of Mericourt Road (F/S); and

ii) the following bus stop be removed:

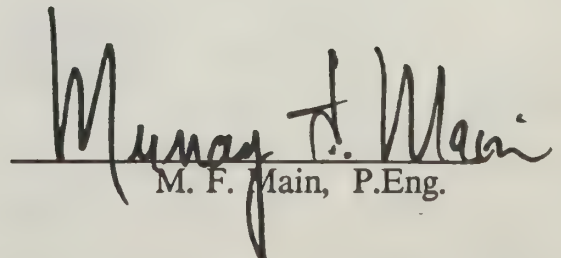
Route 5 Delaware

Westbound - Whitney Avenue, north side, 222 feet west of the west curb line of Mericourt Road (M/B); and

b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

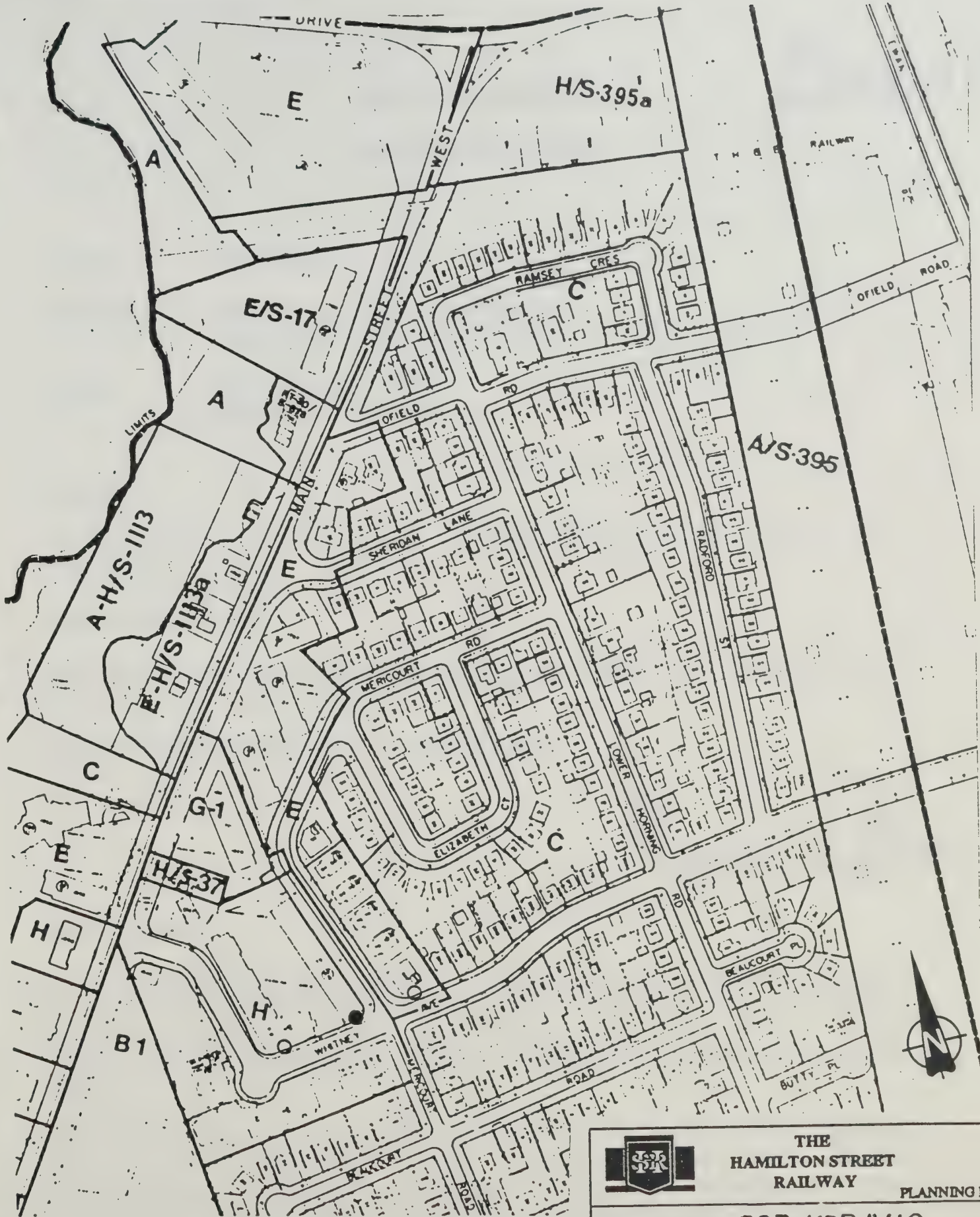

M. F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a request from the Hamilton Street Railway Company for permission to relocate a bus stop and also to remove a bus stop on Whitney Avenue.

Presently, these two bus stops on Whitney Avenue are only 167 feet apart, and bus operators have suggested that these two stops could be combined into one without any loss in service. The proposed bus stop relocation is satisfactory from a traffic point of view. There would be no loss of any on-street parking since the proposed bus stop is in an area that is presently signed with a "No Parking" regulation. Therefore, the Traffic Department concurs with this request.


MT/CVB/ks



- EXISTING BUS STOP
- PROPOSED BUS STOP



THE
HAMILTON STREET
RAILWAY

PLANNING DEPT.

DRAWN BY: BOB KRBAVAC

DATE: FEBRUARY 5/93

PLAN No: 1 SCALE: NTS

REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

2(BXvii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 8

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

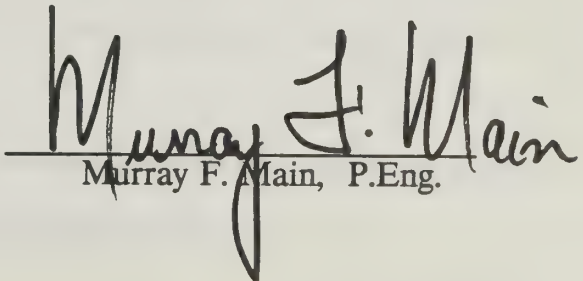
Transportation Association of Canada - Environmental Policy and Code of Ethics
[TEC-58-93]

RECOMMENDATION:

That the City Council go on record as supporting the Environmental Policy and Code of Ethics of the Transportation Association of Canada.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

nil


Murray F. Main, P.Eng.

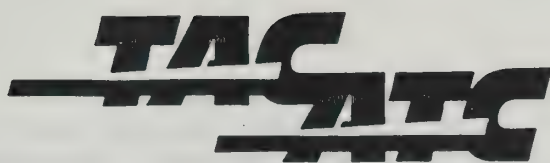
BACKGROUND:

The City of Hamilton has been a member of the Transportation Association of Canada, and its predecessors, the Roads and Transportation Association of Canada and the Canadian Good Roads Association, for many years. The City is a corporate member, and staff members have contributed to the activities and deliberations of this organization very actively.

The Association has formulated a Policy and Code of Ethics respecting the environment, a copy of which is attached to this report. Details of the document support proactive planning, integrated transportation planning, atmospheric protection, surface and ground water protection, land protection and conservation of resources, among other issues. Many of these issues are contained in the document "Implementing Vision 20/20", which was published by the Region in January 1993.

The Transportation Association of Canada has asked for a response to a survey to determine which of its corporate members support their new Environmental Policy and Code of Ethics. Since this document is in concert with the Vision 20/20 document, it is recommended that the City indicate to the Association its support of the Policy and Code of Ethics.

MFm/jd
Attachment



POLICY

Transportation Association of Canada

Association des transports du Canada

Environmental Policy and Code of Ethics

Approved by the TAC Board of Directors

September 15, 1992

The Transportation Association of Canada (TAC) is a national non-profit association of more than 550 voluntary corporate members and includes the federal, all provincial/territorial and many municipal governments, passenger transport services, goods carriers, contractors, manufacturers, consultants, academic and research groups, and others. The Association's organization includes a Board of Directors; an Executive Committee of the Board; as well as seven Councils and supporting Standing Committees and Project Steering Committees. In the following Environmental Policy and Code of Ethics, TAC refers to the Board of Directors, the Association's councils and committees and its Secretariat.

TAC's mission is to promote the provision of safe, efficient, effective and environmentally sustainable transportation services in support of Canada's social and economic goals. In carrying out this mission, TAC encourages its members to:

- *adhere to the following Environmental Policy and Code of Ethics in support of achieving environmentally sustainable transportation services; and*
- *provide leadership in developing their own supporting policies, guidelines and practices.*

ENVIRONMENTAL POLICY

The Transportation Association of Canada (TAC) is committed to protect and enhance the environment when providing transportation services, so as to sustain the earth's ecosystem.

TAC is dedicated to establishing harmony and balance between the transport of people and goods, and the environment in order to achieve a sustainable social and natural environment.

ENVIRONMENTAL CODE OF ETHICS

The Transportation Association of Canada encourages its members to adhere to the following Code of Ethics and to use it as a basis for the development of transportation-related codes of practice. The essence of this code of ethics is to espouse an understanding of, and respect for, the rights of people and the environment and their inter-relationships.

Mainstreaming Environmental Concerns

Every activity, be it policy or project development, operations, or influence, has positive and negative environmental effects. Therefore, environmental considerations should be integrated into day to day activities and long-term decision-making, fostering a commitment to environmental protection within the transportation sector.

Continuous Improvements

Environmental protection and enhancement are an ongoing responsibility. Therefore, policies, plans, programs, projects and activities should be monitored, reviewed and improved on an ongoing basis.

Incremental Effects

Environmental degradation results from the aggregation of many small impacts over extended periods of time. Therefore, the cumulative environmental effects of transportation activities should be assessed and remedial action taken to minimize those effects.

Partnership and Awareness

To enhance the decision-making process and raise awareness about transportation-related environmental issues and problems, open communication and partnership with all stakeholders should be encouraged.

Public Participation

In recognition of the need for open communications and partnerships with stakeholders, actions should be sensitive and responsive to the public's concerns and their right to know about transportation-related environmental issues. The public should be involved in the resolution of these issues.

Proactive Planning

Environmental problems should be anticipated and addressed when developing policies, plans, programs, standards and/or guidelines.

Integrated Transportation Planning

A healthy environment depends on sound planning. Therefore, land use, transportation, and environmental planning should be integrated, fostering a multi-modal approach to meeting Canada's transportation needs. A full range of alternative solutions should be considered, emphasizing the management of the demand for, and supply of, transportation services.

Research and Development

In recognition of the importance of knowledge to environmental protection and enhancement, leadership in the research and development of environmentally compatible transportation technologies and methods should be provided and openly shared with others.

Product Stewardship

All materials (hazardous and non-hazardous) should be handled in a way that protects health and the environment.

Products and Processes

In recognition of the need to integrate environmental concerns into all aspects of transportation, environmentally compatible products and processes should be used.

Atmospheric Protection

Transportation-related air emissions, especially those that contribute to global warming, urban smog, ozone depletion, acid rain, as well as other adverse effects on health and the natural environment should be minimized or eliminated.

Surface and Ground Water Protection

In recognition of the necessity of clean water to health, the economy, and the ecosystem, discharges of transportation-related contaminants to surface (fresh and salt water) and ground water should be minimized. Water should also be used in a wise and efficient manner.

Land Protection

Transportation facilities should be planned so as to conserve land resources generally and to preserve and protect lands that are needed to sustain future generations. Furthermore, site contamination should be avoided and land clean-up undertaken as appropriate.

Conservation of Resources

Energy and other resources should be conserved with particular emphasis on reducing dependence on non-renewable resources.

Waste Management

Waste discharges to the environment should be continually reduced through the development and application of 3R (Reduce, Reuse and Recycle) programs and technologies.

Special Spaces and Species

Given the importance of natural habitats to the long-term survival of plants, animals, and aquatic life, these areas should be protected and enhanced. As well, areas containing physical features of significant interest should be protected.

Noise Reduction

Transportation-related noise impacts should be minimized.

Appreciation of Canada's Cultural Heritage

Historical sites, archaeological resources and other aspects of our diverse cultural heritage should be preserved for future generations.

Aesthetics

Transportation facilities should be planned, designed and constructed with due consideration for the visual environment into which they are placed.

ENVIRONMENT ADVISORY COUNCIL

The Environmental Policy and Code of Ethics was prepared by TAC's Environment Advisory Council on request from the Board of Directors.

The objectives of this council are to:

- raise awareness of environmental issues in transportation for the TAC membership;
- provide a forum for discussion and education about environmental issues; and
- encourage and assist TAC members in seeking effective resolution of specific environmental issues.

The membership of this council includes federal and provincial governments (transportation and environment), municipal governments, vehicle manufacturers, roadway contractors, carriers (truck, transit, rail, air, ports) motorists, academics and consultants.

For additional copies of this policy and code, or for more information on the activities of the Environment Advisory Council, please contact:

Russ Smith
Secretary, Environment Advisory Council
Transportation Association of Canada
2323 St. Laurent Blvd., Ottawa, Ontario K1G 4K6
Telephone (613) 736-1350 Fax (613) 736-1395



2(cxi)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 29
T103-51 J. K. Clairmont

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P.Eng.
Senior Director
Roads Department

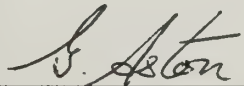
SUBJECT:

Encroachment Agreements

RECOMMENDATION:

That the applications to retain inadvertent encroachments at the locations outlined on Schedule "A", appended hereto, be approved during the pleasure of Council provided:

- a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
- c) That the first year fees and subsequent annual fees outlined in Schedule "A" be set for the encroachments.



E. M. Gill, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above "Recommendation".

Cont'd

-Page 2-
1993 March 29

Encroachment Agreements

Cont'd...

BACKGROUND:

The existing roadway encumbrances may be permitted subject to the normal requirements contained in a Standard Encroachment Agreement.

The City of Hamilton's policy is that if an existing or a proposed non-building encroachment does not impede the functions within the road allowance, the encroachment may be approved by Council, subject to an agreement and an annual fee.

We have reviewed these applications and find no objection. Council has allowed these types of encroachments in the past.

 MJP:

cc: A. Ross, City Treasurer

SCHEDULE 'A' Council Date: April 13, 1993

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
46 Lochearn Street	Concrete verandah and steps measuring 2.41' X 12.5'	P. Ennis 105 Main Street East Hamilton, Ontario L8N 1G6	\$131/20.00	T103-50 (1043)
169 Gibson Avenue	Portion of garage measuring 3.93 ft X 3.93 ft onto assumed alleyway	J. D. Guyer 1104 Fennell Avenue E. Hamilton, Ontario L8T 1R9	\$131/20.00	T103-50 (1044)
185 Emerald Street S.	Portion of concrete stoop and stairs measuring 4.35 ft X 7.30 ft	Dennis R. Roy 557 Upper James Street Hamilton, Ontario L9C 2Y7	\$131/20.00	T103-50 (1045)

2(c)(ii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 26
S703-84 M. Inrig

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director

SUBJECT: 1993 Servicing Expenditures Related to Subdivisions (R-93-27)

RECOMMENDATION:

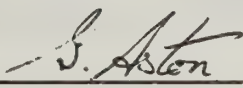
- i) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in;

" CLAUDETTE GARDENS - PHASE 3 ", Hamilton

City's Share \$ NIL

Subdivider's Share \$71,766.42

- ii) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Claudette Gardens - Phase 3", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.
- iii) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- iv) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.



E. M. Gill, P. Eng.

cont'd...

1993 Servicing Expenditures Related to Subdivisions

cont'd...

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are no financial costs to the City associated with this development.

BACKGROUND:

On 1990 October 10 City Council, in adopting Item 8 of the Planning and Development Committee Report 17-90, approved the proposed draft plan for "Claudette Gardens" subdivision under the condition that the Owner (800064 Ontario Inc.) enter into a subdivision agreement with the City. "Claudette Gardens - Phase 3" is a smaller phase of the original approved draft plan.

The development of "Claudette Gardens - Phase 3" will result in the creation of sixteen (16) small size single family residential lots. An estimate of costs for the subdivision has been calculated in accordance with current City cost sharing policies and it has been determined that there will be no City share for this development.

"Claudette Gardens - Phase 3" is located west of Garth Street and north of Rymal Road West in the Falkirk East Planning Neighbourhood.

MI

cc: A. C. Ross, City Treasury Department
cc: M. Watson, Real Estate Division, City Property
cc: Councillor D. Ross, Chairman, Finance and Administration Committee T&E/Disc/MI

1993 SUBDIVISION EXPENDITURE SUMMARY

Page 1 of 1

CITY'S SHARE OF EXPENDITURES

Name Of: SUBDIVISION DEVELOPER CONSULTANT SURVEYOR	# OF LOTS AND LOCATION	SUBDIVISION AGREEMENT AUTHORIZATION	DESCRIPTION OF WORKS	0.3 METRE RESERVE COSTS	NON-RECOVERABLE & OVERSIZED COSTS	TOTAL CITY'S SHARE	TOTAL SUBDIVIDER'S SHARE	TOTAL SERVICING COSTS
CLAUDETTE GARDENS - PHASE 3 800064 ONTARIO INC. Urbex Engineering Ltd. J. P. Wooley, O.L.S., (Dept. File No. S703-84)	16 Lots Hamilton	Item 8 P & D 17-90 City Coun. 90-10-10	Catch Basins & Connections Curbs & Sidewalks Finished Roads Dead End Barricade Street Lighting	\$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00	\$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00	\$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00	\$ 71,766.42 \$ 71,766.42	\$ 71,766.42 \$ 71,766.42
TOTALS:				\$ 0.00	\$ 0.00	\$ 0.00	\$ 71,766.42	\$ 71,766.42

SCHEDULE "A"

* OVERSIZING EXPENDITURES are Non-Recoverable
* 0.30 METRE RESERVE EXPENDITURES are Fully Recoverable

2(c)(iii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: March 25, 1993

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P.Eng.
Senior Director
Roads Department

SUBJECT:

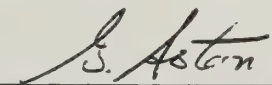
Incorporating certain City lands into various streets by By-Law. (R-93-30)

RECOMMENDATION:

- a) That the following City lands be incorporated into the streets noted below;

Greenhill Avenue	Part 7	Plan 62R-5638
Balharbour Drive	Parts 3&4&5	Plan 62R-8979
Sparling Avenue	Block 45	Plan 62M-688
Westlawn Drive	Block 46	Plan 62M-688
Public Walkway	Part 2	Plan 62R-12480

- b) That the By-Laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council.
- c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.



E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

Cont'd

- page 2 -
March 25, 1993

Cont'd

BACKGROUND

To complete the final street width or provide access to newly registered subdivision developments it is necessary to incorporate City lands into the road allowance as indicated in Schedule 'A', below.

SCHEDULE "A"

<u>Incorporating into Street Name</u>	<u>Description of Lands being Incorporated</u>	<u>Financial Implications</u>	<u>Reason for being Incorporated</u>	<u>File No.</u>
Greenhill Avenue	Part of Lot 28, Con. 4, (former Township of Saltfleet) designated as Part 7, Plan 62R-5638.	N/A	To complete the final width of Greenhill Avenue in this location.	S610-03
Balharbour Drive	Parts of Lot 10, Con. 8, (former Township of Barton) designated as Parts 3, 4, and 5, Plan 62R-8979.	N/A	To complete the final width of Balharbour Drive in this location.	S726-134
Sparling Avenue	Block 45, Plan 62M-688.	N/A	To provide access from Sparling Avenue, Plan 62M-723 to Westlawn Drive, Plan 62M-688.	S719-69
Westlawn Drive	Block 46, Plan 62M-688.	N/A	To complete the final width of Westlawn Drive in this area and provide access from Lot 1, Plan 62M-723 to Westlawn Drive, Plan 62M-688.	S719-69
Public Walkway	Part of Lot 10, Con. 8 (formerly Township of Barton) designated as Part 2, Plan 62R-12480.	N/A	To provide access for pedestrian movement across Ontario Hydro, corridor to a proposed subdivision.	S610-03

:cb
Encls.
cc/Mr. F. Angelici, Planning Department

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO INCORPORATE PART 7, 62R-5638
GREENHILL AVENUE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Greenhill Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. - The following lands are hereby established and laid out as a public highway to form part of Greenhill Avenue.

Part of Lot 28, Concession 4 (former geographic Township of Saltfleet) designated as Part 7, Plan 62R-5638.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1993.

City Clerk

Mayor

Bill No.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO INCORPORATE PARTS 3, 4 AND 5, 62R-8979
BALHARBOUR DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Balharbour Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Balharbour Drive.

Parts of Lot 10, Concession 8 (former geographic Township of Barton) designated as Parts 3, 4 and 5, Plan 62R-8979.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO INCORPORATE BLOCK 45, PLAN 62M-688
SPARLING AVENUE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Sparling Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Sparling Avenue.

Part of Parcel Reserves -1, Section 62M-688

All of Block 45, Plan 62M-688

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1993.

City Clerk

Mayor

Bill No.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO INCORPORATE BLOCK 46, PLAN 62M-688
WESTLAWN DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Westlawn Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Westlawn Drive.

Part of Parcel Reserves -1, Section 62M-688

All of Block 46, Plan 62M-688

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1993.

City Clerk

Mayor

Bill No.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO INCORPORATE PART 2, 62R-12480
PUBLIC WALKWAY**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as a Public Walkway by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. - The following lands are hereby established and laid out as a public highway to form part of a Public Walkway.

Part of Lot 10, Concession 8 (formerly Township of Barton) designated as Part 2, Plan 62R-12480.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1993.

City Clerk

Mayor

26Xiv

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 26
T103 52 (110) J. K. Clairmont


REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director
Roads Department

SUBJECT: Discharge of Encroachment Agreement
77 James Street North (R-93-28)

RECOMMENDATION:

- (a) That the Encroachment Agreement for 77 James Street North, registered as Instrument No. 94586 C.D., be discharged;
- (b) That the Mayor and City Clerk be authorized and directed to execute the discharge documents for the Encroachment Agreement, registered as Instrument No. 94586 C.D., in a form satisfactory to the Law Department;


E.M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Eaton Properties Limited, owner of 77 James Street North has requested that the Encroachment Agreement between the City of Hamilton and Eaton Properties Limited, for a ramp onto Market Street, dated July 7, 1978 and Registered as Instrument Number 95486C.D. be discharged.

Since the ramp has been removed from the road allowance, this Department has no objection to this request.

JKC:

 cc: A. Ross, Treasury Department

2(cXv)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 15
E205-05, D. Christilaw


REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director, Roads Department

SUBJECT: City of Hamilton's "Flat Rate Fee" for the Recovery of Servicing Costs
associated with 0.3 metre Reserves (R-93-25)

RECOMMENDATION:

- a) That the City's "Flat Rate Fee" to be applied to outstanding City of Hamilton municipal servicing costs along "0.3" metre Reserves, be adjusted from the present rate of \$325.00 per metre frontage and/or flankage to \$290.00 per metre frontage and/or flankage for 1993.
- b) That the revised "Flat Rate Fee" be applied to all costs recovered in 1993 along 0.3 metre Reserves after the adoption of the proposed rate.



E. M. Gill, P. Eng.
Senior Director, Roads Department

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The City's "Flat Rate Fee" was established and is to be applied to the recovery of servicing costs associated with 0.3 metre Reserves. The rate is calculated based on the cost of municipal services installed in subdivisions in Hamilton over the past year. An analysis of 15 subdivisions constructed in Hamilton during 1992 has revealed that costs for services has actually decreased from the rates established in 1991.

cont'd ...

SUBJECT: City of Hamilton's "Flat Rate Fee" for the Recovery of Servicing Costs associated with 0.3 metre Reserves

Therefore, it is being recommended that the current rate be reduced to reflect current costs. It is proposed that the new rate be established at **\$290.00 per metre** frontage and/or flankage. This is a reduction of \$35.00 per metre from the current rate of \$325.00 per metre which was used during 1992.

BACKGROUND:

City Council adopted the "Flat Rate Fee" concept in October 1986. This fee was established for the recovery of the costs associated with municipal services installed adjacent to 0.3 metre Reserves. These services have primarily been constructed by Land Developers (Subdividers) and the costs paid for by the City. Also, some services were completed and paid for under City Road contracts for works on various streets.

The Flat Rate Fee is intended to reflect the average costs for City of Hamilton municipal services installed on streets adjacent to "reserves" owned by the City. When abutting land owners wish to develop their lands, the Flat Rate Fee is applied to the appropriate frontage and/or flankage and collected from the land owner before the Reserve is lifted and development permitted to commence.

The Flat Rate Fee is calculated using the actual construction costs for catch basins and connections, sidewalks and curbs, finished roadways, street lighting, and other miscellaneous servicing items required in the normal construction of City roadways. The Flat Rate Fee excludes those costs for extra wide and extra depth roadways, as current Council policy states that the City will pay for the "oversized" works, with no recovery from the abutting owner at the time of development.

 .dvc

cc: S. Reeder, Secretary, Finance & Administration Committee
cc: A. Ross, City Treasurer, (Att: B. Gilchrist)

and present a series of illustrations of the various forms of the

the various forms of the various forms of the various forms of the

the various forms of the various forms of the various forms of the

the various forms of the various forms of the various forms of the

the various forms of the various forms of the various forms of the

the various forms of the various forms of the various forms of the

the various forms of the various forms of the various forms of the

the various forms of the various forms of the various forms of the

CITY OF HAMILTON

26Xvi

- RECOMMENDATION -

DATE: 1993 March 26
S718-79 P. Strong

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director

SUBJECT: 1993 Servicing Expenditures Related to Subdivisions

RECOMMENDATION:

- a i) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in;

" RYMAL SQUARE ESTATES - PHASE 4 ", Hamilton

City's Share \$35,989.72 Subdivider's Share \$294,976.96

- ii) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Rymal Square Estates - Phase 4", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.
- iii) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- iv) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

cont'd...

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The work related to all of the above-noted projects has been completed and, therefore, the affected accounts can be closed.

J. H. Koko .

DL/dh

c.c. Mr. A. C. Ross, City Treasurer
Treasury Department
Attention: Mr. N. R. Adhya

CITY OF HAMILTON
- RECOMMENDATION -

2(E)(i)

DATE: 1993 March 22

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Purchase of Part of the Property
at 801 Rymal Road East from
Gustav Turnewitsch Required For
the Extension of Eaglewood Drive

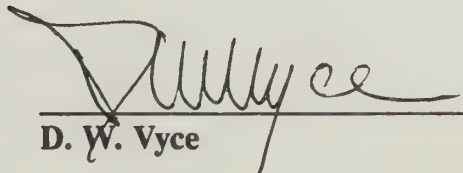
RECEIVED

MAR 22 1993

CITY CLERKS

RECOMMENDATION:

- a) That an Option to Purchase, duly executed by Gustav Turnewitsch on March 12, 1993 and scheduled for closing on or before June 16, 1993, for the purchase by the City of a parcel of land being composed of part of Lot 7, Concession 8, formerly in the Township of Barton, now in the City of Hamilton, containing 229.29 square metres (0.056 acres) more or less, shown as Parts 8 and 9 on Plan 62R-9927, be approved and completed, and the purchase price of \$6,800. be charged to Account No. CH 5X323 00107 (Services Through Unsubdivided Lands). Subject land is required for the extension of Eaglewood Drive.
- b) That it is understood and agreed that all costs (including land and construction costs) for the establishment of this extension of Eaglewood Drive will be charged against the One Foot Reserve and recovered at the time of development of the abutting land in accordance with municipal subdivision policies in effect at the time of development.


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

On October 27, 1992, City Council approved Item 35 of 11th Report of the Transport and Environment Committee, authorizing the purchase of subject parcel of land for the extension of Eaglewood Drive in Gagliano Gardens Addition Subdivision, in order to implement the Eleanor Neighbourhood Plan.

This recommendation to purchase the subject land is in accordance with the City's policy to assist developers to establish roadways to their subdivisions and promote the development of their land.

The City will establish a one foot reserve along the proposed roadway in order to recover costs for land and services from the abutting developers.

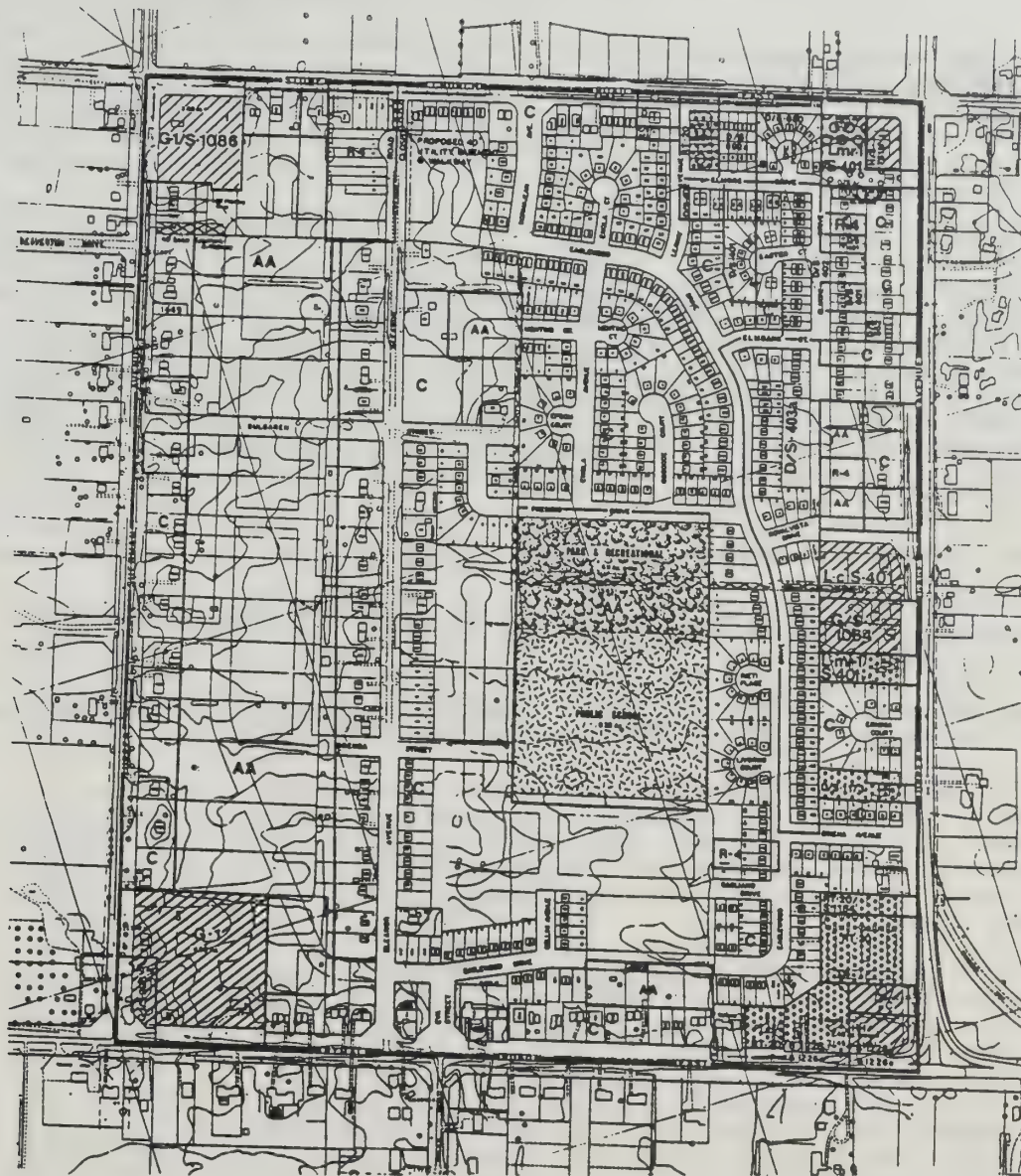
AC/klb

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

K. M. Lau, Manager of Legal Surveys, Roads Department

D. V. Christilaw, Subdivision Administrator, Roads Department



NOTE: This is a GUIDE PLAN only and is subject to change.
For details contact the local planning division of the Regional
Municipality of Hamilton-Wentworth.

EXISTING POPULATION (1988) 1165

LAND USE

- RESIDENTIAL**
- single & double
 - attached housing
 - low density apartments
 - medium density apartments
 - high density apartments
 - commercial & apartments

- COMMERCIAL
- INDUSTRIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approved
Planning Committee JULY 8, 1978 Council NOV. 27, 1978
Latest Revision Date MARCH 4, 1988

CITY OF HAMILTON
PLANNING DEPARTMENT

ELEANOR
APPROVED PLAN

1000 ft
SCALE 1:5000

OPTION TO PURCHASE

BETWEEN: GUSTAV ARTHUR TURNEWITSCH

Hereinafter called "the Owner"
OF THE FIRST PART:

801 Rymal Road East
In care of Hamilton, Ontario
L8W 1B6

THE CORPORATION OF THE CITY OF HAMILTON

Hereinafter called "the City"
OF THE SECOND PART:

In consideration of the sum of TWO----- DOLLARS (\$2.00) paid by the City to the Owner (the receipt whereof is hereby acknowledged) the Owner hereby grants to the City the sole and exclusive option, irrevocable within the time for acceptance herein limited, to purchase the following property owned by the Owner, namely the lands and premises situate in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth and being composed of Concession 8, part of Lot 7, formerly in the Township of Barton, now in the City of Hamilton, containing 229.29 square metres (0.056 acres) more or less, shown as Parts 8 and 9 on attached copy of Plan 62R-9927. Subject parcel forms part of the property known as 801 Rymal Road East.

Forming part of this Option to Purchase are Schedule(s) A & B attached hereto.

The purchase price of the said property shall be the sum of SIX THOUSAND EIGHT HUNDRED-----
----- DOLLARS (\$6,800.00)
of lawful money of Canada.

The sum of \$2.00 already paid to (the agent for) the Owner as consideration for the granting of this Option shall be credited to the City and allowed as part of the purchase price.

The Option hereby granted shall be open for acceptance by the City up to, but not after, the 20th day of April 1993, and may be accepted by a letter mailed or delivered to the Owner at the above address. In the event that this Option is not accepted this Option and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the Owner shall be entitled to retain the said sum given as consideration for the granting of this Option.

In the event of and upon the acceptance of this Option by the City this Option and the letter accepting this Option shall then become a binding contract of purchase and sale between the parties hereto and payment of the said purchase price to the Owner shall constitute complete satisfaction to the Owner for all actions, claims and demands of the Owner for compensation for lands expropriated, for compensation for lands injuriously affected, if any, and for costs, if any, to which the Owner may be entitled by reason of the City having passed a by-law or by-laws expropriating the said lands or any part or parts thereof and for damages and costs, if any, by reason of the act, neglect or default by the City or by anyone on its behalf in respect of the said lands.

Provided that the title is good and free from all encumbrances, except as aforesaid and except as to any registered restrictions and covenants that run with the land, provided that such are complied with. The City is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Owner.

The City is to be allowed 45 days from the date of the acceptance of this Option to examine the title at its own expense. If within that time any valid objection to title is made in writing to the Owner which the Owner shall be unable or unwilling to remove and which the City will not waive the contract arising out of the acceptance of this Option shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and the deposit (including the sum paid for the granting of this Option) shall be returned by the Owner without interest and he and the agent shall not be liable for any costs or damages. Save as to any valid objection so made within such time the City shall be conclusively deemed to have accepted the title of the Owner to the real property.

The contract arising from the acceptance of this Option shall be completed on or before June 16, 1993 on which date the Owner will convey the said lands to the City or to its nominee by a good and sufficient deed thereof in fee simple, free and clear of all encumbrances, save as aforesaid, and shall deliver vacant possession of the said lands to the City free of all tenancies, leasehold interests or any other rights or interests therein.

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

SCHEDULE "A"

Property

Part of 801 Rymal Road East
Hamilton

Owner's Interest

GUSTAV ARTHUR TURNEWITSCH

Elements of Compensation

Market Value of Realty, Legal Fees, Owner's Time, Inconvenience and all other Claims to Damage	<u>\$6,800.00</u>
--	-------------------

Total Compensation	\$6,800.00
--------------------	------------

It is understood and agreed that:

(a) all costs (including land and construction costs) for the establishment of this extension of Eaglewood Drive will be charged against the 1 foot reserve and recovered at the time of development of the abutting lands in accordance with municipal subdivision policies in effect at the time of development; and

(b) the amount of \$6,800.00 is full and final payment of all compensation, interest and cost whatsoever which Gustav Arthur Turnewitsch might be entitled to as a result of the acquisition by The City of Hamilton of part of the property known as 801 Rymal Road East, Hamilton.

(c) provided always that none of the costs as set out in (a) above shall be borne by Gustav Arthur Turnewitsch or his successors in title until and unless Gustav Arthur Turnewitsch or his successors in title develop his land fronting on Eaglewood Drive, Hamilton.

Dated at Hamilton this 12 day of March 1953.

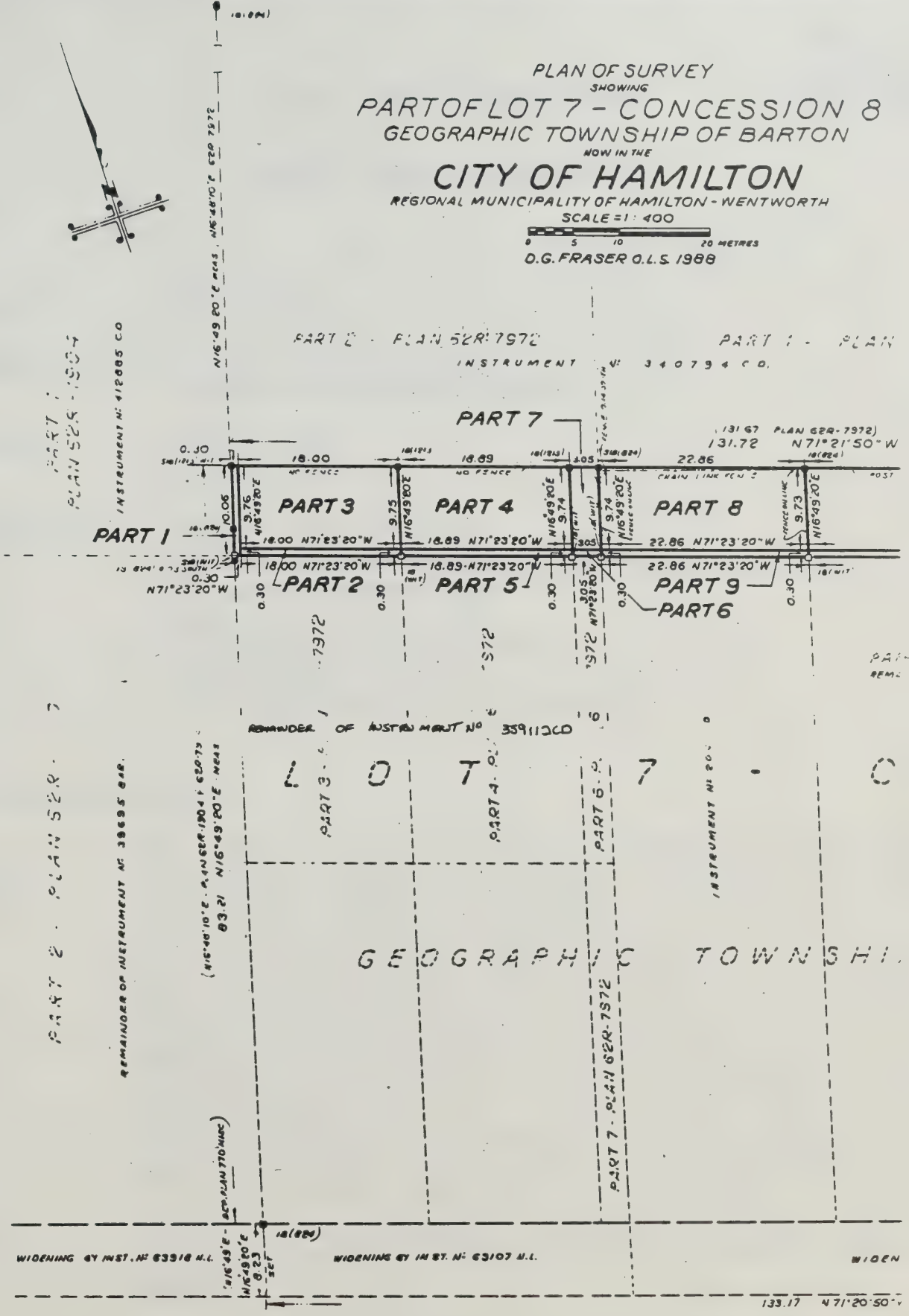
WITNESS:

Malcolm L. L. L.

Gustav Arthur Turnewitsch
GUSTAV ARTHUR TURNEWITSCH

PLAN OF SURVEY
SHOWING
PART OF LOT 7 - CONCESSION 8
GEOGRAPHIC TOWNSHIP OF BARTON
NOW IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

SCALE = 1 : 400
0 5 10 20 METRES
D.G. FRASER O.L.S. 1988



62R-9927
SCHEDULE "E"

2 (EX(ii))

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 25

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Eleanor Avenue Road Closure
Offer to Purchase Agreement
Elio Bachetti, 727 Rymal Road East
Option to Purchase Agreement
Elio Bachetti, 727 Rymal Road East
Offer to Purchase Agreement
Lillian Mary Snyder, 741 Rymal Road East

RECOMMENDATION:

- I. a) That an Offer to Purchase, duly executed by Elio Bachetti on March 19, 1993 and scheduled to close within thirty (30) days of completion of the conditions as set out in the Agreement, but in any event no later than March 22, 1995, for the sale of part of Eleanor Avenue, Registered Plan 853, designated as Parts 5 and 6 on Reference Plan 62R-12366, more particularly described as having a width of 20.116 metres (65.997 feet) more or less, and a length of 27.204 metres (89.251 feet) more or less, and comprising a total area of 547.2 square metres (5,890.204 square feet) more or less, together with part of Lot 8, Concession 8, in the geographic Township of Barton, designated as Part 1, Reference Plan 62R-12366, being a triangular portion of Eleanor Avenue, having a frontage along the northerly limit of Rymal road East of 12.192 metres (40.0 feet) more or less, by a depth of 12.192 metres (40.0 feet) more or less, and comprising a total area of 74.3 square metres (799.785 square feet) more or less, be approved and completed, and the funds derived from this sale of \$4 be credited to Account No. CF 5698 528946005 (City Share of Services).
- b) That the City's deed to the Purchaser be subject to an easement in favour of Union Gas over Part 6, Plan 62R-12366.

Regarding such easement(s), the Purchaser acknowledges and agrees:

- i) that the Purchaser is required at his expense to enter into an Easement Agreement with and satisfactory to each Utility in order that such easement shall be registered before the closing of this sale to the Purchaser or registered as required by the Utility;
- ii) that within the said highway being closed and sold to the Purchaser are (or, are intended to be) installed the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway;
- iii) that the Easement Agreement with the Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the said land and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires;


The above requirements of the City may only be waived by the City.

- c) That it be understood and agreed that the closing of this Offer to Purchase is subject to the City of Hamilton accepting and closing an Option to Purchase executed by Elio Bachetti for the purchase of a portion of the property located at 727 Rymal Road East, being rear land and designated as Parts 7 and 8 on Reference Plan 62R-12366, by the City. The said Option to Purchase and this Offer to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other.
- d) That the closing of this sale to Elio Bachetti be conditional upon the closing of the sale to the City of Hamilton by Elio Bachetti provided for in the Option to Purchase referred to above.
- e) That it be understood and agreed that the closing of this Offer to Purchase is conditional upon the City of Hamilton, its contractors or assigns completing the following works to the City's sole satisfaction:
 - i) The removal of the asphalt road covering of the closed portions of Eleanor Avenue and portions of Rymal Road East, being Parts 2, 3, 5 and 6 and Parts 1 and 4 respectively on Plan 62R-12366, and the replacement of said asphalt with topsoil and sod.

- ii) The removal and restoration of the private driveway belonging to municipal address 741 Rymal Road East and its replacement to Alma Avenue together with all associated works.
 - iii) The removal, restoration and replacement of the private water services currently servicing municipal address 727 and 741 Rymal Road East.
 - f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- II.
- a) That an Option to Purchase Agreement by the City, duly executed by the owner, Elio Bachetti, on March 19, 1993 and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than April 22, 1995, for the purchase of those lands described as part of Lot 8, Concession 8, in the geographic Township of Barton, designated as Parts 7 and 8 on Reference Plan 62R-12366, having a frontage along the westerly limit of Eleanor Avenue of 22.098 metres (72.5 feet) more or less, by a depth of 27.432 metres (90.0 feet) more or less, and comprising a total area of 606.5 square metres (6,528.52 square feet) more or less, being a portion of the rear land of municipal address 727 Rymal Road East, be approved and completed, and the purchase price of \$4 be charged to Account No. CF 5698 528946005 (City Share of Services).
 - b) That it is understood and agreed that the closing of this Option to Purchase is subject to the City of Hamilton accepting and completing an Offer to Purchase executed by Elio Bachetti for the closed portion of Eleanor Avenue and a portion of Rymal Road East, more particularly described as Parts 1, 5 and 6, Reference Plan 62R-12366. Said Part 6, Reference Plan 62R-12366, is being sold subject to an easement in favour of Union Gas. The said Offer to Purchase and this Option to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other.
 - c) That the closing of this purchase by the City be conditional upon the closing of the sale to Elio Bachetti provided for in the Offer to Purchase referred to above.
 - d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

- III. a) That an Offer to Purchase, to be executed by Lillian Mary Snyder, and schedule to close within thirty (30) days of completion of the conditions as set out in this agreement, but in any event no later than March 22, 1995, for the sale of part of Eleanor Avenue, described as part of Parcel "A", Registered Plan 1007, and designated as Part 4 on Reference Plan 62R-12366, being a triangular parcel of land, having a frontage along the northerly limit of Rymal Road East of 7.010 metres (22.998 feet) more or less, by a depth of 7.010 metres (22.998 feet) more or less, and comprising a total area of 24.6 square metres (264.80 square feet) more or less, be approved and completed, and the funds derived from this sale of \$4 be credited to Account No. CF 5698 528946005 (City Share of Services).
- b) That it be understood and agreed that the closing of this Offer to Purchase is subject to the City of Hamilton accepting and completing an Offer to Purchase executed by Elio Bachetti for the closed portion of Eleanor Avenue, more particularly described as Parts 1, 5 and 6 on Reference Plan 62R-12366, said Part 6 being sold subject to an easement in favour of Union Gas, and the City of Hamilton accepting and completing an Option to Purchase Agreement executed by Elio Bachetti for the purchase of a portion of the property located at 727 Rymal Road East, being rear land and designated as Parts 7 and 8 on Reference Plan 62R-12366, by the City. The aforementioned Offer to Purchase and Option to Purchase together with this Offer to Purchase are to be accepted by City Council concurrently and all properties are to be finalized contemporaneously with each other.
- c) The closing of this sale to Lillian Mary Snyder is conditional upon the closing of the sale to the City of Hamilton by Elio Bachetti provided for in the Option to Purchase referred to above, and the sale by the City of the lands to Elio Bachetti provided for in the Offer to Purchase referred to above.
- d) The City agrees to pay Lillian Mary Snyder's reasonable legal fees, provided the account for legal services, the hourly rate and hours incurred are satisfactory to the City Solicitor.
- e) That it be understood and agreed that the closing of this Offer to Purchase is conditional upon the City of Hamilton, its contractors or assigns completing the following works to the City's sole satisfaction:
- i) The removal of the asphalt road covering of the closed portions of Eleanor Avenue and portions of Rymal Road East, being Parts 2, 3, 5 and 6 and Parts 1 and 4 respectively, and the replacement of said asphalt with topsoil and sod.

- ii) The removal and restoration of the private driveway belonging to municipal address 741 Rymal Road East and its replacement to Alma Avenue together with all associated works.
- iii) The removal, restoration and replacement of the private water services currently servicing municipal address 727 and 741 Rymal Road East.
- f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.



D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funds are available within Account No. CF 5698 528946005 (City Share of Services) as part of the City's Share of Services associated with Bar-Brock Estates Phase 1 and 2.

BACKGROUND:

On November 27, 1973, City Council approved the Eleanor Neighbourhood Plan which proposed the closure of this section of Eleanor Avenue with a new road to be developed east of Eleanor Avenue, allowing entrance into the Neighbourhood. Subsequently, on September 14, 1988, Eva Street was opened by By-law, thus providing access to the subdivision in conformity with the Neighbourhood Plan.

With the completion of the new access, Eleanor Avenue is now in a position to be closed. Authorization for said closure was granted on September 10, 1990, through City Council's adoption of Item #2 of the 13th Report of the Transport and Environment Committee, wherein the Director of Property was directed to proceed with the disposition of the said lands to the abutting owners.

Upon circularizing this closure, the homeowner located at 741 Rymal Road East, Lillian Mary Snyder, stated that she had no objection to the closure provided that access to her garage from Alma Avenue be provided.

In keeping with the Municipal Act, a survey was prepared bisecting the subject lands into two equal halves in a North/South alignment. Market Value was assigned and the abutting owners were approached.

1993 March 25

Transport and Environment Committee

Page 6

The property owner at 741 Rymal Road East (Lillian Mary Snyder) felt the cost was too high and declined to purchase one half the roadway as aligned. The homeowner at 727 Rymal Road East (Elio Bachetti) was accepting, provided the existing gas main could be removed. Investigations found that removal of said gas main was prohibitively expensive. Had the City proceeded to sell to Mr. Bachetti singularly, the remaining parcel of land would have been undevelopable. As we were unable to acquire consensus from both homeowners, it was not in the City's best interest to continue with the initial alignment. Consequently, a new survey was drafted bisecting the lands in an East/West alignment creating two equally sized residential building lots of 20.116 metres (65.997 feet) by 27.204 metres (89.251 feet).

As a result of the new alignment, it was necessary to once again ask the abutting homeowner, Lillian Mary Snyder, if she wished to acquire one half the closed roadway at market value. Ms. Snyder again declined and executed the necessary release forms to allow the closure to proceed.

Following the public meeting as required by the Municipal Act in regard to the stopping-up, closing and retention for the public assumed road allowance of Eleanor Avenue, the abutting homeowner at 727 Rymal Road East, Elio Bachetti, suggested the City enter into a land exchange with him. This would entail Mr. Bachetti acquiring half the road lands to be closed, in exchange for a portion of his rear property which would be required for the interior ring road as set out on the approved Neighbourhood Plan. At the direction of the Transport and Environment Committee, pursuant to their meeting held August 19, 1991, the Real Estate Division was directed to negotiate said exchange.

One stipulation of the Municipal Act states that you cannot close a roadway and deprive a person of their access. As Ms. Snyder has a driveway access opening onto the proposed closure of Eleanor Avenue, it was agreed that the City would reinstate her access to Alma Avenue as a condition of said closing. It was also suggested and agreed that as a condition of said closing, and in the interests of uniformity, that Ms. Snyder be allowed to acquire Part 4, Plan 62R-12366, that parcel being the daylight triangle immediately in front of her house.

In association with this closure, it is foreseen that the remaining lands will be sold as a single family residential building lot. This necessitates that the private water services for 727 and 741 Rymal Road East, which are located under the lands to be closed, would have to be relocated.

Under the Subdivision Agreement for Bar-Brock Estates Phase 1 and 2, provisions were made for the contractor to remove the asphalt road covering over the proposed road closure and replace same with topsoil and sod and perform all other associated works. It is our intention to request the contractor to relocate the aforementioned driveway and water services as a facet of these associated works. Funds in the amount of \$48,909.52 are remaining for the City's share in Bar-Brock Estates Phase 1 and 2, and it is expected that this amount will be sufficient to cover the construction costs associated with the closure of Eleanor Avenue.

Consequently, it is our recommendation that the subject agreements be approved and completed, and the City proceed with this closure at this time.

WmM/klb

c.c. Alderman H. Merling, Alderman, Ward 7

Alderman Terry Anderson, Alderman, Ward 7

P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

E. M. Gill, P. Eng., Senior Director, Roads Department

G. Aston, Director, Programming and Development, Roads Department
Attention: V. Zingaro

E. Chajka, Manager, Road Development, Roads Department
Attention: D. Christilaw

C. Bandurka, Property Clerk, Surveys, Roads Department

INST. 368119A.B.

PART 2, PLAN 82R-10423

PART 8

PART 7

AVENUE

ALMA

1309A.B.

INST.

727 Rymal Road East

CONCESSION

LOT

INST.

PART 1
82R-11813

PART 6

PART 5

ELEANOR

82R-11813

PART 2

PART 3

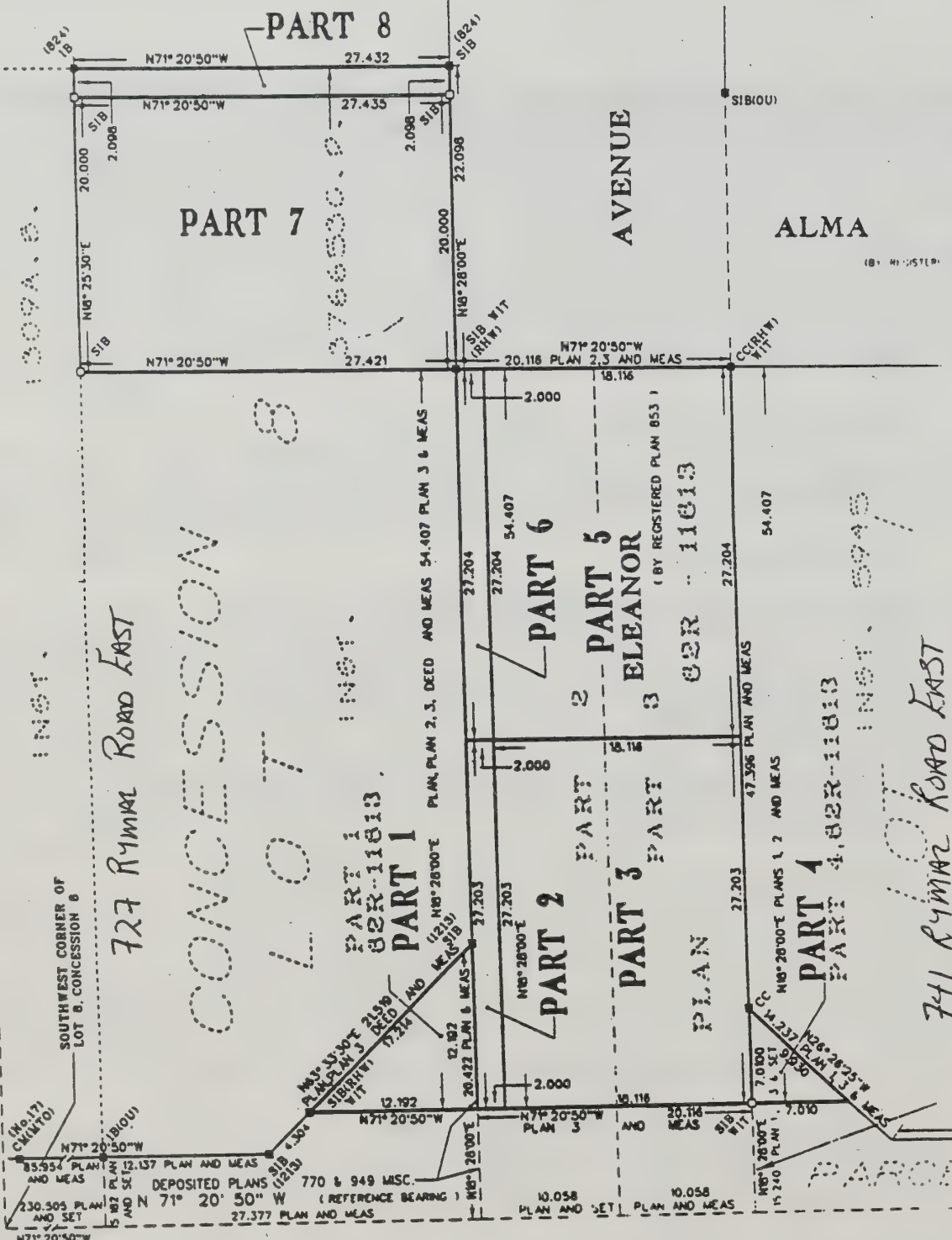
PART 4

PART 4

82R-11813

741 Rymal Road East

ROAD ALLOWANCE BETWEEN LOTS 8 AND 9
UPPER SHERMAN AVENUE



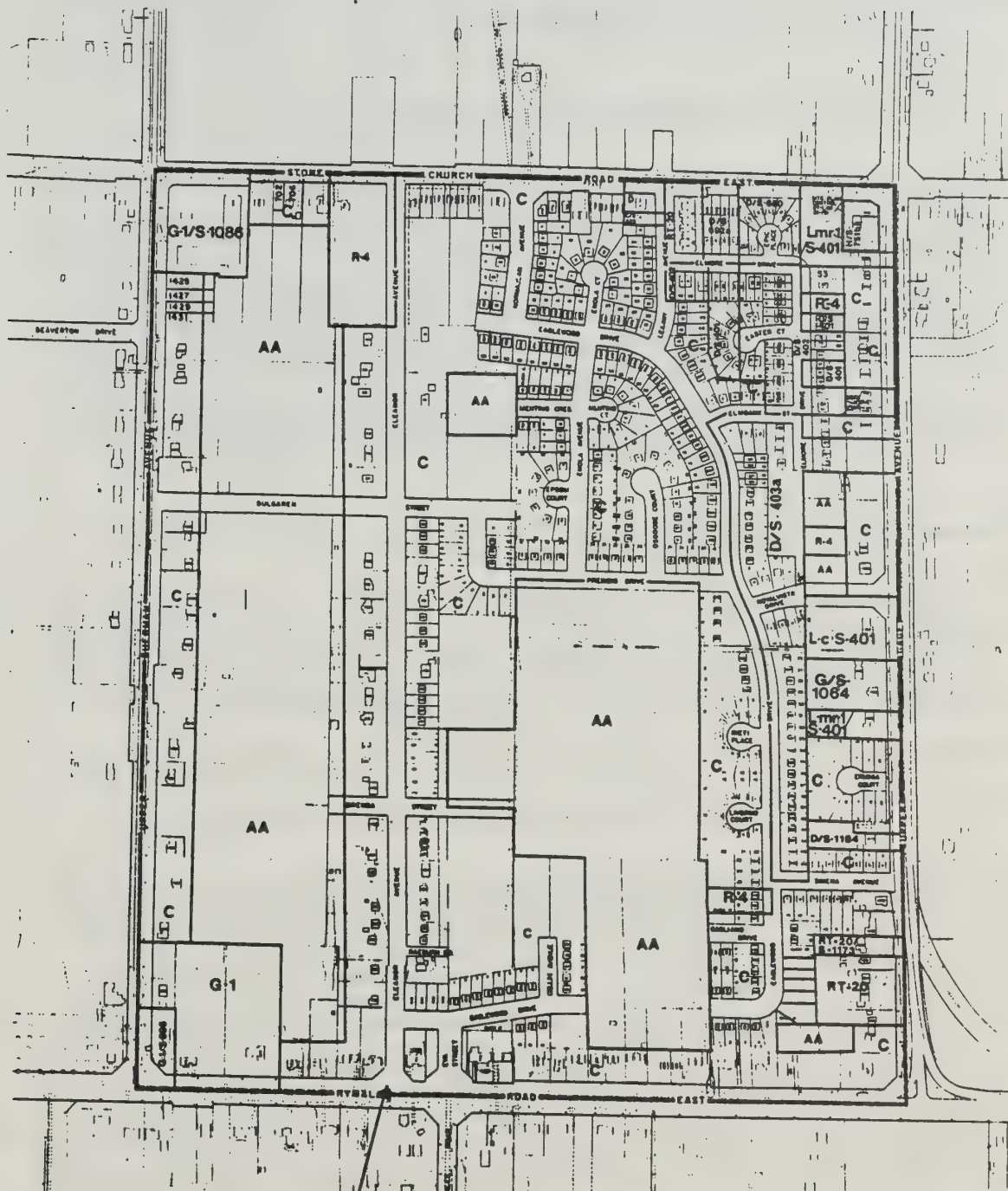
REGIONAL ROAD NO.153

RYMAL ROAD

FORMERLY THE KING'S HIGHWAY NO. 1

ROAD ALLOWANCE BETWEEN LOTS 10 AND 11

REFERENCE PLAN 62R 12366
SCHEDULE "B"



SUBJECT PROPERTY

<table border="1"> <tr><td>118</td><td>112</td><td>110</td></tr> <tr><td>19</td><td>43</td><td>129</td></tr> <tr><td>23</td><td>15</td><td>14</td></tr> </table> <p>This is not a Legal Document For Zoning Verification Please Contact City Building Department.</p>	118	112	110	19	43	129	23	15	14	<p>CITY OF HAMILTON</p> <p>ELEANOR</p> <p>ZONING</p>
118	112	110								
19	43	129								
23	15	14								
<p>--- Neighbourhood Boundary</p> <p>--- Zoning Boundary</p> <p>Prepared for The City of Hamilton by the Planning and Development Department of The Regional Municipality of Hamilton - Wentworth</p>	<p>0 10m</p> <p>SCALE</p> <p>NORTH</p> <p>PLANNING UNIT NO. 7505</p> <p>JANUARY 1990</p> <p>PAGE NO. 43</p>									

OFFER TO PURCHASE
(HIGHWAY CLOSURE)

I/We ELIO BACHETTI

of the City of Hamilton,

in the Regional Municipality of Hamilton-Wentworth,

hereinafter called the Purchaser,

hereby agree to and with THE CORPORATION OF THE CITY OF HAMILTON,

hereinafter called the Vendor,

to purchase all and singular that certain parcel or tract of land and premises situate in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth and being composed of part of Eleanor Avenue, Registered Plan 853, designated as Parts 5 and 6 on Reference Plan 62R-12366, and subject to an easement in favour of Union Gas over part of said Eleanor Avenue designated as Part 6, Reference Plan 62R-12366, more particularly described as having a combined width of 20.116 metres (65.997 feet) more or less, and a length of 27.204 metres (89.251 feet) more or less, and comprising a total area of 547.2 square metres (5,890.204 square feet) more or less, together with part of Lot 8, Concession 8, in the geographic Township of Barton, designated as Part 1, Reference Plan 62R-12366, being triangular in shape and having a frontage along the northerly limit of Rymal Road East of 12.192 metres (40 feet) more or less, by a depth of 12.192 metres (40 feet) more or less, and containing a total area of 74.3 square metres (799.785 square feet) more or less.

at the price of FOUR----- DOLLARS (\$4.00)
of lawful money of Canada, payable as follows:-

(a) A deposit of TWO----- DOLLARS (\$2.00)
by certified cheque payable to the Vendor.

(b) The balance of the purchase price namely TWO----- DOLLARS (\$2.00)

with interest as hereinafter provided, and subject to adjustments,
by certified cheque on the closing of this transaction.

Forming part of this Offer to Purchase are Schedule(s) A, B & C attached hereto.

Provided that this Offer to Purchase is subject to the following conditions:-

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the 20th day of April 1993, by a letter mailed or delivered to the Solicitor at c/o Leon Price, 410-143 James Street South, Hamilton, Ontario, L8P 3A1.
2. In the event that this Offer is not accepted, this Offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
4. The title is good and free from all encumbrance, except as to any registered restrictions or covenants.
5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed thirty days from the date of acceptance of such Offer to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and it shall not be liable for any damages or costs. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.
7. (a) This transaction shall be closed within 30 days after conditions (a) to (h) in section 8 below have been fulfilled;

- (b) In the event that conditions (a) to (h) in section 2 below are not fulfilled on or before the 22nd day of March, 1995, then this Agreement shall be at an end and the deposit shall be returned to the Purchaser without interest and the City shall not be liable to reimburse the Purchaser for any expenses. The Purchaser agrees to execute, if requested, a release in respect of this Agreement in a form satisfactory to the City Solicitor.

8. This transaction is subject to the following conditions being fulfilled on or before the completion of the sale of land to the Purchaser:

- (a) The passing and registration of a by-law (pursuant to Section 297 of The Municipal Act, R.S.O. 1990), to stop-up, close and authorize the sale to the Purchaser of that portion of the said municipal highway known as Eleanor Avenue, namely Parts 5 and 6, 62R-12366 and Part 1, 62R-12366, being a part of Rymal Road East;

In this regard, the Purchaser acknowledges that this Offer to Purchase is subject to the City's compliance with the provisions of the Municipal Act respecting the closing and selling of highways and it is expressly understood and agreed that notwithstanding acceptance of this Offer by the City,

- (i) that the City in its discretion may or may not decide to close-up and sell all or a portion of the said street after holding the public meeting and comments are received after the highway closure and sale is advertised and circulated to public agencies;

- (ii) the City is required to offer the highway being sold to the adjacent owner(s) pursuant to Section 315 of The Municipal Act;

- (b) Where the Purchaser is not the registered owner of the land adjacent to the highway to be stopped-up and sold, -- the closing of this sale to the Purchaser is conditional upon the adjacent registered land owner(s), (pursuant to Section 315 of the Municipal Act, R.S.O. 1990), deciding not to accept (within the time limit fixed by City Council) the City's offer to sell the portion of the adjacent closed street at the price such land is being offered to the Purchaser.

In the event the adjacent registered owner(s) exercises its right to so purchase, this Agreement shall

- (i) be null and void and the deposit shall be repaid to the Purchaser without interest; or

- (ii) remain in full force and effect except that the Purchaser shall be entitled to purchase only that portion of the closed street upon which the Purchaser's land abuts having a frontage of _____ and a depth of _____ more or less, at the reduced price of \$ _____ and the Offer to Purchase shall be deemed amended accordingly;

- (c) Where the Purchaser is the registered owner of the land adjacent to the highway to be stopped-up and sold, (or intends to be the registered owner of the land adjacent to the highway to be stopped up and sold), the closing of this sale to the Purchaser is conditional on the Purchaser being the registered owner of the adjacent land;

- (d) The Regional Municipality of Hamilton-Wentworth not exercising its right, within 60 days of notification, to object to the passing of the said by-law; [Regional Municipalities Act, Section 44];

- (e) The Minister of Municipal Affairs not withholding Ministerial approval to the by-law, where the highway being closed was laid out on a plan of subdivision registered after March 17, 1946, [Municipal Act, Section 297(10)];

- (f) Publication of Notice having taken place in the newspaper for four successive weeks of Council's intent to pass the by-law to close the highway, to carry out this sale and to hear anyone who claims that the person's land will be prejudicially affected by the by-law, [Municipal Act, Section 300];

- (g) The Purchaser entering into and registering easement(s) in favour of the Utility(ies) as required in section 3 below.

- (h) The other condition(s) set out in the attached Offer and/or in the attached Schedule.

9. (a) The City's deed to the Purchaser shall be subject to an easement(s) in favour of the following Utility(ies):

<u>Utility</u>	<u>Part(s)</u>	<u>Plan</u>
- The Regional Municipality of Hamilton-Wentworth		
- Union Gas Limited	2 and 6	62R-12366
- Bell Telephone Company		
- Ontario Hydro		
- Hamilton Hydro		
- Local Cablevision Company		
- Other -		

- (b) Regarding such easement(s), the Purchaser acknowledges and agrees,

- (i) that the Purchaser is required at his expense to enter into an Easement Agreement with and satisfactory to each Utility in order that such easement shall be registered before the closing of this sale to the Purchaser or registered as required by the Utility;
- (ii) that within the said highway being closed and sold to the Purchaser are (or, are intended to be) installed the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway;
- (iii) that the Easement Agreement with the Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the said land and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires;

- (c) The above requirements of the City may only be waived by the City.

10. The Purchaser hereby covenants and agrees to and with the City,

- (a) to not object to the closure and sale of the street and the Purchaser hereby consents to the closing of the said street, including other portions thereof, if any, being sold to other adjacent owners;
- (b) to accept title to the closed street subject to all existing registered easements and all existing works of any Utility;
- (c) after taking title to the closed street from the City, to assume responsibility at the Purchaser's expense, for the costs of developing the land and for the costs of obtaining all necessary services and approvals. No representation at all is made by the City on the willingness of any existing or proposed Utility to relocate to accommodate the Purchaser's use.

11. On the closing of this transaction, the Vendor will convey the said lands to the Purchaser by a good and sufficient deed thereof in fee simple, free and clear of dower rights and all encumbrances, except as to any registered restrictions or covenants, and shall deliver vacant possession of the said lands to the Purchaser free of all tenancies.

12. The Purchaser shall assume taxes, local improvements, water and sewer rates from the date set out in paragraph 7 hereof.

13. Pending completion of this transaction, the Vendor will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the Purchaser may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Offer whether accepted or not and have all monies theretofore paid returned without interest.

14. The deed or transfer is to be prepared at the expense of the Vendor. If the Vendor is a Trustee the deed or transfer is to contain trustee covenants only.

15. This agreement and its acceptance is to be read with all changes of gender or number required by the context.

16. In the event of failure of the Purchaser to complete this transaction by the date set out in paragraph 7 hereof, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.
17. Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.
18. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Time shall be of the essence of this Agreement, which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

DATED at

Hamilton

this

19th

day of

March

1973.

SIGNED, SEALED AND DELIVERED)

in the presence of

) *Elio Bachetti*
) ELIO BACHETTI

Maan' Spiziale

) _____ (Seal)
) _____ (Seal)

Name of Purchaser's Solicitor Mr. Leon Price, Barrister and Solicitor

Address of Purchaser's Solicitor 410-143 James St. South, Hamilton, Ont., L8P 3A1

92/04/16

SCHEDULE "A"

Property

Part of Eleanor Avenue
Registered Plan 853
Designated as Part 5 and 6,
Reference Plan 62R-12366

Owner's Interest

THE CORPORATION OF THE
CITY OF HAMILTON

It is also understood and agreed that:

- 1) The closing of this Offer to Purchase is subject to the City of Hamilton accepting and closing an Option to Purchase executed by Elio Bachetti for the purchase of a portion of the property located at 727 Rymal Road East, being rear land and designated as Parts 7 and 8 on Reference Plan 62R-12366, by the City. The said Option to Purchase and this Offer to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other.

The closing of this sale to Elio Bachetti is conditional upon the closing of the sale to the City of Hamilton by Elio Bachetti provided for in the Option to Purchase referred to above.

Dated at

Hamilton

this

19th

day of

March

19⁹³

WITNESS:

Maria Speziale

Elio Bachetti

ELIO BACHETTI

92/12/10

PART 2, PLAN 82R-10423

PART 8

PART 7

AVENUE

ALMA

(10) 41-5710

100

492

PART I
PART I
PART I

PART 6

PART 5
ELEANOR

(BY REGISTERED PLAN 853)

11613 : 2250

[illegible]

0098

PAROLE

REGIONAL ROAD NO.153

R Y M A L R O A D

FORMERLY THE HIGGS REPORT NO. 5

ROAD ALLOWANCE BETWEEN TO

REFERENCE PLAN 62R 12366
SCHEDULE "B"

SCHEDULE "C"

It is understood and agreed that the closing of this Offer to Purchase is conditional upon the City of Hamilton, its contractors or assigns completing the following works to the City's sole satisfaction:

- a) The removal of the asphalt road covering of the closed portions of Eleanor Avenue and portions of Rymal Road East, being Parts 2, 3, 5 and 6 and Parts 1 and 4 respectively, and the replacement of said asphalt with topsoil and sod.
- b) The removal and restoration of the private driveway belonging to municipal address 741 Rymal Road East and its replacement to Alma Avenue together with all associated works.
- c) The removal, restoration and replacement of the private water services currently servicing municipal addresses 727 and 741 Rymal Road East.

Dated at Hamilton this 19th day of March 1993

WITNESS:

Maria Spizale

Elio Bachetti
ELIO BACHETTI

OPTION TO PURCHASE

BETWEEN: ELIO BACHETTI

Hereinafter called "the Owner"
OF THE FIRST PART:

In care of Mr. Leon Price, B.A., L.L.B.
Barrister and Solicitor
410-143 James Street South
Hamilton, Ontario
L8P 3A1

THE CORPORATION OF THE CITY OF HAMILTON

Hereinafter called "the City"
OF THE SECOND PART:

In consideration of the sum of FOUR----- DOLLARS (\$4.00) paid by the City to the Owner (the receipt whereof is hereby acknowledged) the Owner hereby grants to the City the sole and exclusive option, irrevocable within the time for acceptance herein limited, to purchase the following property owned by the Owner, namely the lands and premises situate in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth and being composed of part of Lot 8, Concession 8, in the geographic Township of Barton, designated as Parts 7 and 8 on Reference Plan 62R-12366, having a frontage along the westerly limit of Eleanor Avenue of 22.098 metres (72.5 feet) more or less, by a depth of 27.432 metres (90 feet) more or less, and comprising a total area of 606.5 square metres (6,528.52 square feet) more or less, more particularly described as rear lands of the property known municipally as 727 Rymal Road East.

Forming part of this Option to Purchase are Schedule(s) A & B attached hereto.

The purchase price of the said property shall be the sum of FOUR----- DOLLARS (\$4.00) of lawful money of Canada.

The sum of \$2.00 already paid to (the agent for) the Owner as consideration for the granting of this Option shall be credited to the City and allowed as part of the purchase price.

The Option hereby granted shall be open for acceptance by the City up to, but not after, the 20th day of April 1993, and may be accepted by a letter mailed or delivered to the Solicitor at the above address. In the event that this Option is not accepted this Option and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the Owner shall be entitled to retain the said sum given as consideration for the granting of this Option.

In the event of and upon the acceptance of this Option by the City this Option and the letter accepting this Option shall then become a binding contract of purchase and sale between the parties hereto and payment of the said purchase price to the Owner shall constitute complete satisfaction to the Owner for all actions, claims and demands of the Owner for compensation for lands expropriated, for compensation for lands injuriously affected, if any, and for costs, if any, to which the Owner may be entitled by reason of the City having passed a by-law or by-laws expropriating the said lands or any part or parts thereof and for damages and costs, if any, by reason of the act, neglect or default by the City or by anyone on its behalf in respect of the said lands.

Provided that the title is good and free from all encumbrances, except as aforesaid and except as to any registered restrictions and covenants that run with the land, provided that such are complied with. The City is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Owner.

The City is to be allowed 45 days from the date of the acceptance of this Option to examine the title at its own expense. If within that time any valid objection to title is made in writing to the Owner which the Owner shall be unable or unwilling to remove and which the City will not waive the contract arising out of the acceptance of this Option shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and the deposit (including the sum paid for the granting of this Option) shall be returned by the Owner without interest and he and the agent shall not be liable for any costs or damages. Save as to any valid objection so made within such time the City shall be conclusively deemed to have accepted the title of the Owner to the real property.

This transaction shall be closed within 30 days after conditions (a) to (h) in Section 1 below have been fulfilled;

- (1) In the event that conditions (a) to (h) in section 1 below are not fulfilled on or before the 22nd day of April, 1995, then this Agreement shall be at an end and the deposit shall be returned to the Purchaser without interest and the Owner shall not be liable to reimburse the Purchaser for any expenses. The Purchaser agrees to execute, if requested, a release in respect of this Agreement in a form satisfactory to the Owner's Solicitor.

1. This transaction is subject to the following conditions being fulfilled on or before the completion of the sale of land to the Purchaser:
 - (a) The passing and registration of a by-law (pursuant to Section 297 of The Municipal Act, R.S.O. 1990), to stop-up, close and authorize the sale to the Purchaser of that portion of the said municipal highway known as Eleanor Avenue, namely Parts 5 and 6, 62R-12366, together with Part 1, 62R-12366, being a part of Rymal Road East;

In this regard, the Owner acknowledges that this Option to Purchase is subject to the City's compliance with the provisions of the Municipal Act respecting the closing and selling of highways and it is expressly understood and agreed that notwithstanding acceptance of this Option by the Owner,

 - (i) that the City in its discretion may or may not decide to close-up and sell all or a portion of the said street after holding the public meeting and comments are received after the highway closure and sale is advertised and circulated to public agencies;
 - (ii) the City is required to offer the highway being sold to the adjacent owner(s) pursuant to Section 315 of The Municipal Act;
 - (b) Where the Purchaser is not the registered owner of the land adjacent to the highway to be stopped-up and sold, -- the closing of this sale to the Purchaser is conditional upon the adjacent registered land owner(s), (pursuant to Section 315 of the Municipal Act, R.S.O. 1990), deciding not to accept (within the time limit fixed by City Council) the City's offer to sell the portion of the adjacent closed street at the price such land is being offered to the Purchaser.

In the event the adjacent registered owner(s) exercises its right to so purchase, this Agreement shall

 - (i) be null and void and the deposit shall be repaid to the Purchaser without interest; or
 - (ii) remain in full force and effect except that the Purchaser shall be entitled to purchase only that portion of the closed street upon which the Purchaser's land abuts having a frontage of _____ and a depth of _____ more or less, at the reduced price of \$ _____ and the Offer to Purchase shall be deemed amended accordingly;
 - (c) Where the Purchaser is the registered owner of the land adjacent to the highway to be stopped-up and sold, (or intends to be the registered owner of the land adjacent to the highway to be stopped up and sold), the closing of this sale to the Purchaser is conditional on the Purchaser being the registered owner of the adjacent land;
 - (d) The Regional Municipality of Hamilton-Wentworth not exercising its right, within 60 days of notification, to object to the passing of the said by-law; [Regional Municipalities Act, Section 44];
 - (e) The Minister of Municipal Affairs not withholding Ministerial approval to the by-law, where the highway being closed was laid out on a plan of subdivision registered after March 17, 1946, [Municipal Act, Section 297(10)];
 - (f) Publication of Notice having taken place in the newspaper for four successive weeks of Council's intent to pass the by-law to close the highway, to carry out this sale and to hear anyone who claims that the person's land will be prejudicially affected by the by-law, [Municipal Act, Section 300];
 - (g) The Purchaser entering into and registering easement(s) in favour of the Utility(ies) as required in section 3 below.
 - (h) The other condition(s) set out in the attached Offer and/or in the attached Schedule.

2. (a) The City's deed to the Purchaser shall be subject to an easement(s) in favour of the following Utility(ies):

<u>Utility</u>	<u>Part(s)</u>	<u>Plan</u>
- The Regional Municipality of Hamilton-Wentworth		
- Union Gas Limited	2 and 6	62R-12366
- Bell Telephone Company		
- Ontario Hydro		
- Hamilton Hydro		
- Local Cablevision Company		
- Other -		

- (b) Regarding such easement(s), the Purchaser acknowledges and agrees,

- (i) that the Purchaser is required at his expense to enter into an Easement Agreement with and satisfactory to each Utility in order that such easement shall be registered before the closing of this sale to the Purchaser or registered as required by the Utility;
- (ii) that within the said highway being closed and sold to the Purchaser are (or, are intended to be) installed the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway;
- (iii) that the Easement Agreement with the Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the said land and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires;

- (c) The above requirements of the City may only be waived by the City.

3. The Purchaser hereby covenants and agrees to and with the City,

- (a) to not object to the closure and sale of the street and the Purchaser hereby consents to the closing of the said street, including other portions thereof, if any, being sold to other adjacent owners;
- (b) to accept title to the closed street subject to all existing registered easements and all existing works of any Utility;
- (c) after taking title to the closed street from the City, to assume responsibility at the Purchaser's expense, for the costs of developing the land and for the costs of obtaining all necessary services and approvals. No representation at all is made by the City on the willingness of any existing or proposed Utility to relocate to accommodate the Purchaser's use.

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

The Owner agrees to cancel and terminate all insurance pertaining to the said premises, no later than the actual date and time of closing and prior to the grant, conveyance or transfer of ownership and title to the purchaser, said cancellation and transfer shall be at the full cost and expense of the Owner.

Pending completion of the sale arising out of the acceptance of this Option the Owner will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the City may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Option whether accepted or not and have all monies theretofore paid (including the sum paid for the granting of this Option) returned without interest.

The Owner covenants and agrees with the City to do nothing to encumber the said property after the execution of this Option by the Owner prior to the completion or other termination thereof, and agrees that the City may, in the presence of the Owner or his representative inspect the property on the said date of completion, prior to closing the transaction.

This Option is to be read with all changes of gender or number required by its context.

DATED at Hornellton this 19th day of March A.D., 1993.

) Elio Baccetti
) ELIO BACCETTI
)
)
) _____ (Seal)
)
)
) _____ (Seal)

In consideration of the sum of Two Dollars (\$2.00), (the receipt of which from the City is hereby acknowledged), the Undersigned Spouse of the Owner hereby agrees with the City that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

Witness Spouse (Seal) Date _____

SCHEDULE "A"

Property

Part of the Property at
727 Rymal Road East
Parts 7 and 8, 62R-12366

Owner's Interest

ELIO BACHETTI

It is also understood that:

- i) The closing of this Option to Purchase is subject to the City of Hamilton accepting and completing an Offer to Purchase executed by Elio Bachetti for the purchase of the closed portion of Eleanor Avenue, more particularly described as Parts 5 and 6, Reference Plan 62R-12366, together with Part 1, Reference Plan 62R-12366, being a closed portion of Rymal Road East. Said Part 6, Reference Plan 62R-12366 is being sold subject to an easement in favour of Union Gas. The said Offer to Purchase and this Option to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other.

The closing of this purchase by the City is conditional upon the closing of the sale to Elio Bachetti provided for in the Offer to Purchase referred to above.

Dated at Hamilton this 19th day of March 1993

WITNESS:

Mauri Speziale

Elio Bachetti
ELIO BACHETTI

INST. 365119A.B.

PART 2, PLAN 82R-10423

PART 8

PART 7

AVENUE

ALMA

ROAD ALLOWANCE BETWEEN LOTS 8 AND 9
UPPER SHERMAN AVENUE

INST.

SOUTHWEST CORNER OF
LOT 8, CONCESSION 8

CONCESSION

LOT

INST.

PART 1
82R-11813

PART 1

PLAN, PLAN 2, 3, DEED AND MEAS 54.407 PLAN 3 & MEAS

PART 6

PART 5

ELEANOR

(BY REGISTERED PLAN 853)

82R-11813

PART 2

PART 3

PART 3

PLAN

PART 4

82R-11813

INST. 5949

LOT

15.954 PLAN AND MEAS
12.137 PLAN AND MEAS
230.505 PLAN AND SET
N 71° 20' 50" W
27.377 PLAN AND MEAS

DEPOSITED PLANS 770 & 949 M.S.C.
(REFERENCE BEARING)

10.058 PLAN AND SET
10.058 PLAN AND MEAS

10.058 PLAN AND SET
10.058 PLAN AND MEAS

10.058 PLAN AND SET
10.058 PLAN AND MEAS

10.058 PLAN AND SET
10.058 PLAN AND MEAS

REGIONAL ROAD NO.153

RYMAL ROAD

FORMERLY THE KING'S HIGHWAY NO. 5

ROAD ALLOWANCE BETWEEN TO

REFERENCE PLAN 62R 12366
SCHEDULE "B"

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 25

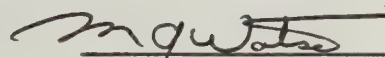
REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Purchase of a 12 Metre Easement Through
Proposed Gagliano Gardens Subdivision to
Provide Sewer Outlet for Bar-Brock Estates -
Phase 3 - Future Gagliano Drive

RECOMMENDATION:

- a) That the Director of Property be directed to negotiate with Mr. A. DiCenzo, owner of DiCenzo Construction Company Limited, for the acquisition of a 12 metre easement through a portion of his lands to be known as Gagliano Drive, required for providing services to Bar-Brock Estates, Phase 3, immediately west of Gagliano Gardens Addition, shown cross-hatched on the attached plan. The necessary expenditures are to be charged to Account No. CH 5X303 00107 (Services Through Unsubdivided Lands).
- b) That in the event the Director of Property is unsuccessful in negotiating the purchase of the required lands on or before July 15, 1993, the City Solicitor be authorized and directed to initiate expropriation proceedings, and the Director of Property be authorized to retain an independent fee appraiser to prepare an appraisal of market value. The costs are to be charged to Account No. CH 5X303 00107 (Services Through Unsubdivided Lands).


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The costs to acquire the required lands will be recovered through the One Foot Reserves.

BACKGROUND:

The owners of the proposed subdivision, Queendale Gardens Homes Limited and Steinagal Construction, have been unsuccessful in their attempts to acquire the required easement, and they have requested municipal involvement so the development of single family lots can proceed in an orderly manner and not be unduly delayed.

Mr. DiCenzo has been delayed in commencing his subdivision, Gagliano Gardens Addition, as he was unable to purchase the lands required for roadway purposes at the rear of 801 and 819 Rymal Road East. This department is presently in the process of negotiating with the two owners for the land required. Mr. DiCenzo must also finalize negotiations with the Board of Education before he can proceed with his subdivision. Due to these factors and the delay involved, the owners of Bar-Brock Estates, Phase 3, are requesting the municipality's assistance in obtaining this easement so that they can service their subdivision and proceed with development.

AC/klb

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

E. Chajka, Manager of Road Development, Roads Department

C. Bandurka, Property Clerk, Surveys, Roads Department

BOLZANO DRIVE

1 $\frac{30}{16 \cdot 48 \cdot 10^3}$ 2 $\frac{30}{16 \cdot 48 \cdot 10^3}$ 3 $\frac{30}{16 \cdot 48 \cdot 10^3}$ 4 $\frac{30}{16 \cdot 48 \cdot 10^3}$ 5 $\frac{30}{16 \cdot 48 \cdot 10^3}$ 6 $\frac{30}{16 \cdot 48 \cdot 10^3}$ 7 $\frac{30}{16 \cdot 48 \cdot 10^3}$ 8 $\frac{30}{16 \cdot 48 \cdot 10^3}$ 9 $\frac{30}{16 \cdot 48 \cdot 10^3}$

18 17 16 15 14 13 12 11 10

part 1 - plan 52R -

GAGLIANO DRIVE

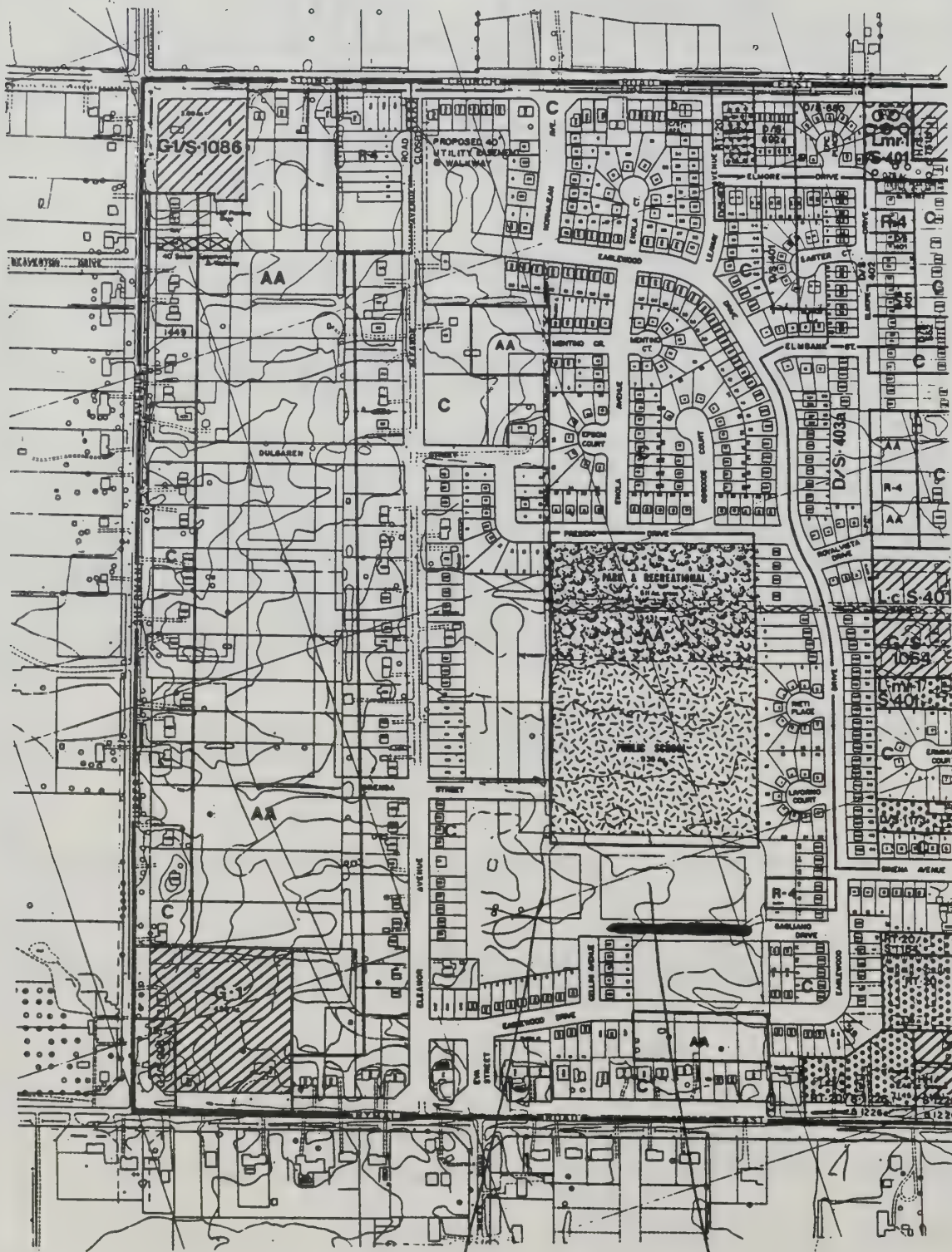
19 20 21 22 23 24 25 26 27 28

38 37 36 35 34 33 32 31 30 29

EAGLEWOOD DRIVE

part 3	part 4	part 8	part ii	part 12
part 1	part 7	plan 62R-9927		

n c e s s i o n



BAR-BROCK ESTATES PHASE 3

GAGLIANO GARDENS

NOTE: This is a GUIDE PLAN only and is subject to change.
For details contact the local planning division of the Regional
Municipality of Hamilton-Wentworth.

LAND USE	
RESIDENTIAL	
	single & double
	attached housing

	Neighbourhood Boundary
	Zoning Boundary

CITY OF HAMILTON

- RECOMMENDATION -

2(E)(iv)

DATE: 1993 March 23

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. D. W. Vyce
Director of Property

RECEIVED

4 M2N
MAR 28 1993

SUBJECT: Sale of 24 Residential Buildings Lots
Wheten Court Subdivision
107 Mohawk Road East at Warren

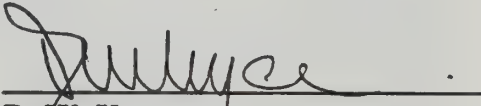
CITY CLERKS

RECOMMENDATION:

- a) That the following Tenders to purchase 24 residential building lots in the City's Wheten Court Subdivision (107 Mohawk Road East at Warren) be accepted, provided each purchaser enters into an Agreement of Purchase and Sale with the City within 30 days of this resolution. The successful Tenders recommended by the Property Department are as follows:

DESCRIPTION	PURCHASE PRICE	PURCHASER	DEPOSIT (Certified Cheque)
Lot 1, Plan 62M-674	\$40,000.00	886531 Ontario Ltd.	\$2,000.00
Lot 2, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 3, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 4, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 5, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 6, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 7, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 8, Plan 62M-674	50,000.00	886531 Ontario Ltd.	2,400.00
Lot 9, Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,400.00
Lot 10, Plan 62M-674	52,000.00	Carlo Silvestri	2,550.00
Lot 11, Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,500.00
Lot 12, Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,500.00
Lot 13, Plan 62M-674	55,000.00	Carlo Del Sordo	2,750.00
Lot 14, Plan 62M-674	53,901.00	Blue Paradise Homes	2,695.05
Lot 15, Plan 62M-674	55,500.00	Carlo Del Sordo	2,750.00
Lot 16, Plan 62M-674	52,901.00	Antonio Paiano	2,645.05
Lot 17, Plan 62M-674	52,901.00	Antonio Paiano	2,645.05
Lot 18, Plan 62M-674	52,901.00	Antonio Paiano	2,645.05
Lot 19, Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,400.00
Lot 20, Plan 62M-674	50,000.00	886531 Ontario Ltd.	2,400.00
Lot 21, Plan 62M-674	51,000.00	Carlo Silvestri	2,550.00
Lot 22, Plan 62M-674	51,000.00	Carlo Silvestri	2,550.00
Lot 23, Plan 62M-674	50,000.00	Amarjeet Lakhian	2,800.00
Lot 24, Plan 62M-674	50,000.00	886531 Ontario Ltd.	2,500.00

- b) That upon execution of the Offer to Purchase agreement, a separate certified cheque(s) payable to the City of Hamilton in the amount of \$3,000.00 is also required for each lot to be held as a refundable security deposit, without interest, pending satisfactory completion of grading specifications.
- c) That in the event the successful tenderor does not enter into the said agreement with the City of Hamilton within 30 days of this resolution (in the form of Offer to Purchase agreement attached hereto) the deposit cheque(s) shall be forfeited and surrendered as agreed amount of liquidated damages.
- d) That the Mayor and City Clerk be authorized to execute the necessary documents to carry out these lot sales, including the said Offer to Purchase agreements.
- e) That the total sale price of \$1,165,104.00 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases), and the certified deposit cheques in the total amount of \$57,680.20 be held by the City Treasurer pending completion of these transactions.


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

On August 30, 1988, City Council approved Item 7 of the 12th Report of the Transport and Environment Committee to proceed with the development of this former Public Works yard at the North/East corner of Mohawk Road East and Warren Avenue. Subsequently, a draft Plan of a residential subdivision was prepared and registered in Land Titles, buildings on the site were demolished, soil tests were carried out and submitted to the Ministry of Environment, tenders were awarded for servicing the subdivision, and tenders were prepared and advertised for the sale of these lots.

On September 24, 1991, City Council approved Item 4 of the 15th Report of the Transport and Environment Committee, authorizing the Real Estate Division of the Property Department to sell the lots by tender, subject to consultation with the Ministry of Environment.

The tenders were opened on March 9, 1993. The following is a chart showing the Reserve Bid, offers received that met the Reserve Bid and offers where the Reserve Bid was not met. Where the Reserve Bid was not met, we contacted the highest bidders to see if they wished to meet the Reserve Bid. In all cases, the parties agreed to increase their offers to meet the Reserve Bid. We received two tied offers for Lots 23 and 24 for \$50,000. each, and each party agreed to purchase one lot each.

DESCRIPTION	RESERVE BID	OFFERS RECEIVED
Lot 1, Plan 62M-674	\$40,000.00	\$40,000.00
Lot 2, Plan 62M-674	40,000.00	40,000.00
Lot 3, Plan 62M-674	40,000.00	40,000.00
Lot 4, Plan 62M-674	40,000.00	40,000.00
Lot 5, Plan 62M-674	40,000.00	40,000.00
Lot 6, Plan 62M-674	40,000.00	40,000.00
Lot 7, Plan 62M-674	40,000.00	40,000.00
Lot 8, Plan 62M-674	50,000.00	** 48,000.00
Lot 9, Plan 62M-674	52,000.00	** 48,000.00
Lot 10, Plan 62M-674	52,000.00	** 51,000.00
Lot 11, Plan 62M-674	52,000.00	** 50,000.00
Lot 12, Plan 62M-674	52,000.00	** 50,000.00
Lot 13, Plan 62M-674	55,000.00	55,000.00
Lot 14, Plan 62M-674	52,000.00	53,901.00
Lot 15, Plan 62M-674	55,000.00	55,500.00
Lot 16, Plan 62M-674	52,000.00	52,901.00
Lot 17, Plan 62M-674	52,000.00	52,901.00
Lot 18, Plan 62M-674	52,000.00	52,901.00
Lot 19, Plan 62M-674	52,000.00	** 48,000.00
Lot 20, Plan 62M-674	50,000.00	** 48,000.00
Lot 21, Plan 62M-674	50,000.00	51,000.00
Lot 22, Plan 62M-674	50,000.00	51,000.00
Lot 23, Plan 62M-674	50,000.00	50,000.00 50,000.00
Lot 24, Plan 62M-674	50,000.00	50,000.00 50,000.00

** Reserve Bid not received at Tender Opening

We therefore have received offers on the sale of all 24 lots for, or above, the Reserve Bid.

c.c. P. Noé Johnson, City Solicitor

Allan C. Ross, Treasurer

K. M. Lau, Manager of Legal Surveys, Roads Department

D. V. Christilaw, Subdivision Administrator, Roads Department

Konrad Brenner, Manager of Programming & Preliminary Design, Environmental Services Department

D. Lobo, Director of Public Works

Attention: R. Chrystian

L. King, Building Commissioner

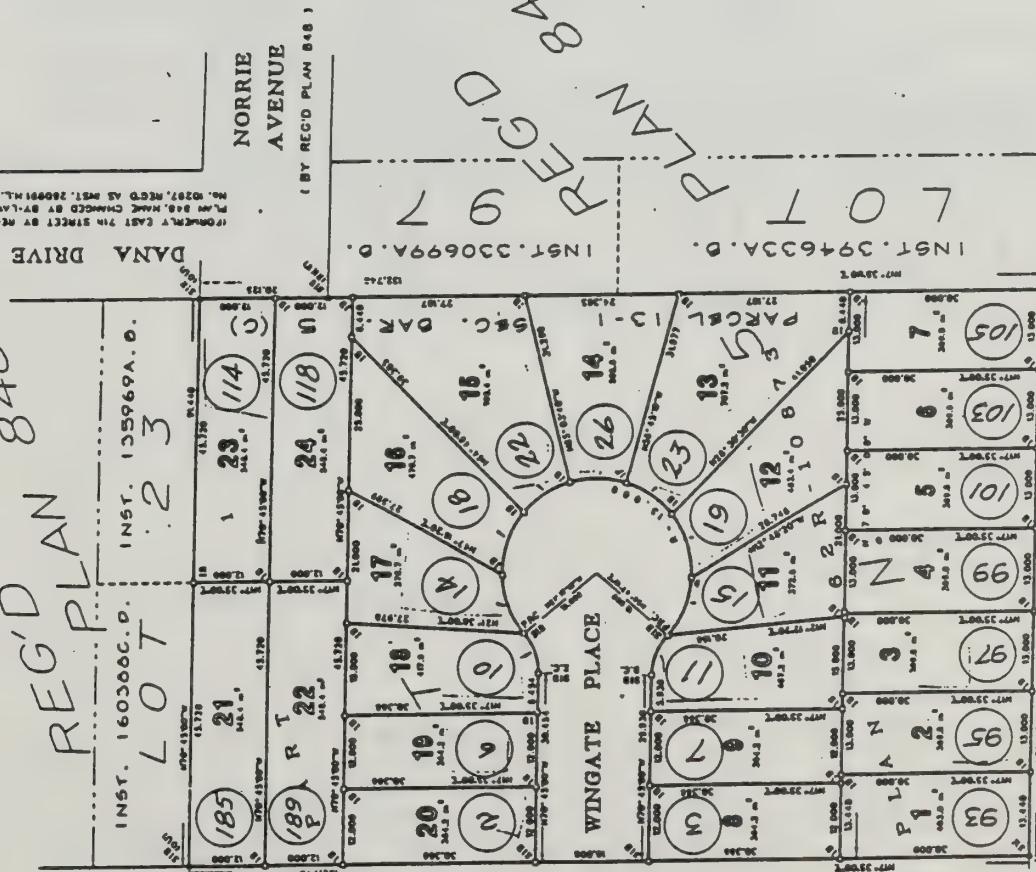
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 07-17-2008 BY 60322

REG'D PLAN 848

INST. 160306C.D.
LOT 23
INST. 135969A.D.

V A N E

(ESTABLISHED BY BY-LAW NO. 9861, REC'D AS INST. 216420H.L.)



SOUTHWEST CORNER

МОНАШКА

BOOK

ROAD ALLOWANCE BETWEEN CONCESSIONS 5 AND 6 REGIONAL ROAD N. 118

SURVEYORS CERTIFICATE

IDENTIFY THEM :

PLAN 62M-674

CERTIFICATE OF REGISTRATION
 I CERTIFY THAT THIS PLAN 020-674 IS REGISTERED
 IN THE LAND REGISTRY OFFICE FOR THE LAND UTILI-
 TATION OF RESIDENTS AND APPLICANTS ON THE
 2-0-01 OF OCTOBER 1990 AND ENTERED IN
 THE REGISTRY FOR PAVEL PLAN 1 SECTION 020-674
 AND THE REQUIRED CONSENTS AND AFFIDAVITS ARE
 REGISTERED AS PLAN DOCUMENT No. LT 28219

L. McB. senie
ONE LAND RECEIVED

APPROVED UNDER SECTION 50 OF THE PLANNING ACT
BY THE COMMISSIONER OF PLANNING AND DEVELOPMENT
OF THE REGIONAL MUNICIPALITY OF GUILFORD-WATERLOO
THIS 6TH DAY OF September, 1990.

V. G. Abraham

COMMISSIONER OF PLANNING AND DEVELOPMENT
REGIONAL MUNICIPALITY OF HAMILTON-GREYSON
AUTHORIZED BY BY-LAW NO. 230-171

THIS PLAN COMPOSES OF ALL OF PARCEL 13-L
STATION 111.1 NO.

WHETEN COURT

BEING A PLAN OF SUBDIVISION
OF

PART OF LOT 13 CONCESSION 5

IN THE
GEOGRAPHIC TOWNSHIP OF BARTON

WORK IN THE

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

• 1 : 500

1000

ARIO LAND SURVEYOR

DIVERSIFICATION

© 1998 BY THE COPYRIGHT OWNER

המחברת מודה לרבותן על שיתנו לה את מקומן במסגרת
הפרויקט. היא מאמינה כי הן יעניינה וישפיעו עליה.

RECEIVED AT BUREAU OF THE
NAVY ON 11 OCT. 1964

THE POLYMERIZATION OF
METHACRYLATED MMA
AND OTHER MONOMERS

0001212424 00 1119 100

DATE 12/18/08

THE END

NOT

NOTE

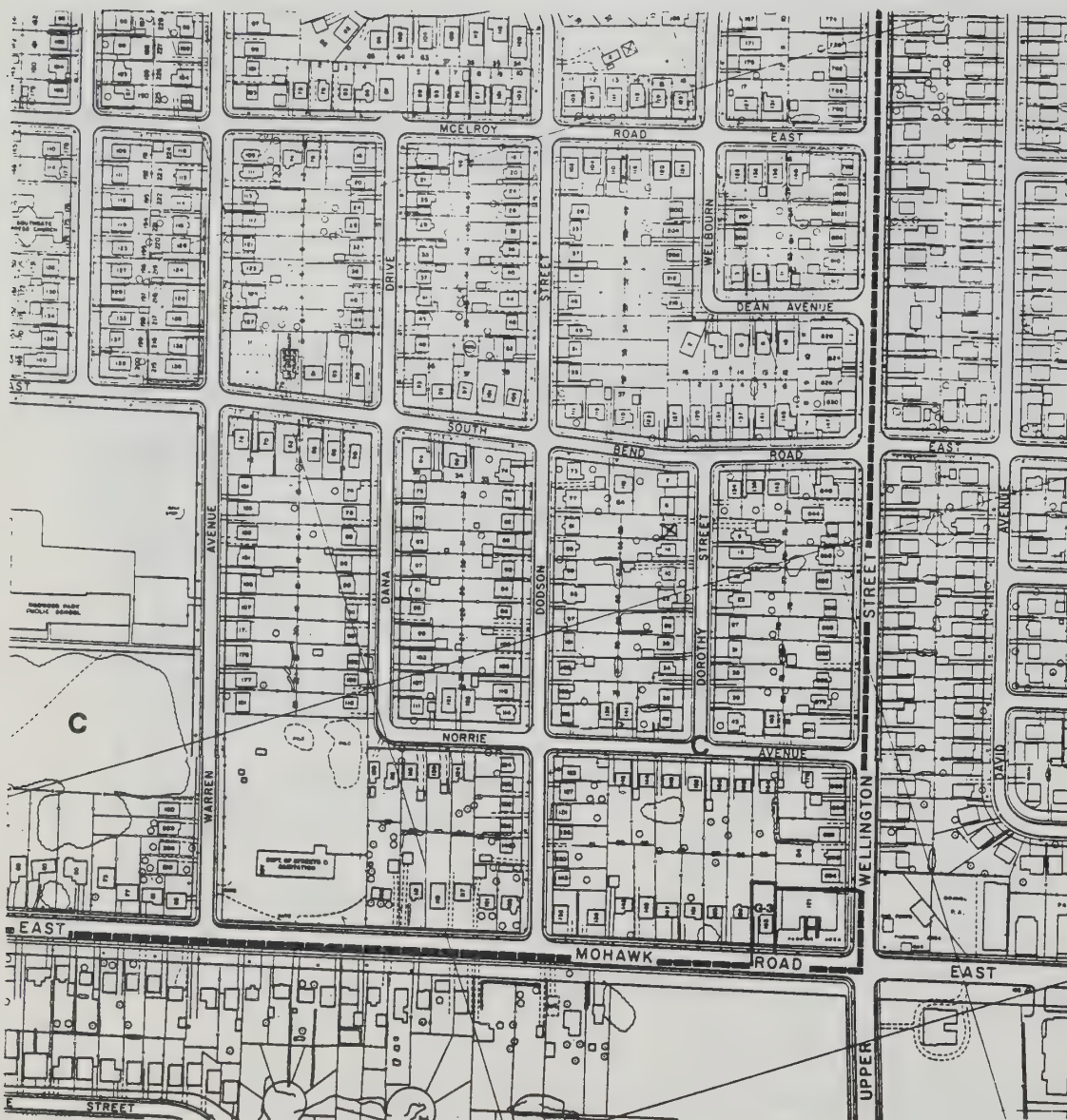
077126Z MAR 89 150000Z FM 00323N 1700E
TO THE DIRECTOR OF THE FBI
FROM THE DIRECTOR OF THE FBI
SUBJECT: [REDACTED]


REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

DEPARTMENT OF ENGINEERING

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO



<table border="1"> <tr> <td>123</td> <td>22</td> <td>68</td> </tr> <tr> <td>13</td> <td>7</td> <td>65</td> </tr> <tr> <td>137</td> <td>56</td> <td>16</td> </tr> </table> <p>This is not a Legal Document For Zoning Verification Please Contact City Building Department.</p>	123	22	68	13	7	65	137	56	16	<p>CITY OF HAMILTON</p> <p>BALFOUR</p> <p>ZONING</p>	
123	22	68									
13	7	65									
137	56	16									
<p>----- Neighbourhood Boundary</p> <p>----- Zoning Boundary.</p>	<p>0 100m</p> <p>SCALE 50m</p> <p> NORTH</p>										
<p>Prepared for The City of Hamilton by the Planning and Development Department of The Regional Municipality of Hamilton Wentworth</p>	<p>PLANNING UNIT NO. 7208</p> <p>JUNE 1988</p>	<p>PAGE NO. 7</p>									

OFFER TO PURCHASE

I/We

of the City of Hamilton

in the Regional Municipality of Hamilton-Wentworth,

hereinafter called the Purchaser,

hereby agree to and with THE CORPORATION OF THE CITY OF HAMILTON,

hereinafter called the Vendor,

to purchase all and singular that certain parcel or tract of land and premises situate in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth, and being composed of

Forming part of this Offer to Purchase Tender Forms are Schedules A, B & C attached hereto.

at the price of
of lawful money of Canada, payable as follows:-

DOLLARS (\$))

- (a) A deposit of (5% of the Purchase Price)
by certified cheque payable to the Vendor,
which cheque is submitted with this Offer;

DOLLARS (\$))

- (b) The balance of the purchase price namely
subject to adjustments, by certified
cheque on closing of this transaction.

DOLLARS (\$))

WITH THIS OFFER the Purchaser ALSO encloses certified cheque of \$3,000 payable to the vendor to be held by the vendor as security in accordance with the terms herein.

Provided that this Offer to Purchase is subject to the following conditions:

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the day of 19 , by letter mailed or delivered to the Purchaser at
2. In the event that this Offer is not accepted, this Offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
4. The title is good and free from all encumbrances, except as to any registered restrictions or covenants.
5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed thirty days from the date of acceptance of such Offer to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and it shall not be liable for any damages or costs. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.
7. This transaction shall be closed on or before the day of , 19 .

8. On the closing of this transaction, the Vendor will convey the said land to the Purchaser by a good and sufficient deed thereof in fee simple, free and clear of all encumbrances, except as to any registered restrictions or covenants, and shall deliver vacant possession of the said land to the Purchaser (and except for the documents to be registered pursuant to this Agreement) free of all tenancies.
9. The Purchaser shall assume taxes, local improvements, water and sewer rates from and after the closing of this transaction.
10. The deed or transfer is to be prepared at the expense of the Vendor. If the Vendor is a Trustee the deed or transfer is to contain trustee covenants only.
11. This agreement and its acceptance is to be read with all changes of gender or number required by the context.
12. In the event of failure of the Purchaser to complete this transaction by the date set out in paragraph 7 hereof, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.
13. It is understood and agreed that Lots 1 to 7, inclusive, are being sold subject to a 3 metre easement in favour of the Regional Municipality of Hamilton-Wentworth for sewer and watermain purposes.
14. The highest or any offer will not necessarily be accepted.
15. The Vendor makes no representation, warranty, condition either express or implied as to soil conditions, utilities, fitness for purpose of zoning and building by-laws. The Purchaser shall inspect the property and shall satisfy himself in respect of such matters prior to submitting this Offer.
16. The lot is being sold as is with the Purchaser being responsible to install at his expense all yard sewer connections, from the property line to the house, curb cuts and driveway approaches and he acknowledges he is liable to pay for all levies and 5% park dedication.
17. The Purchaser covenants to the City to comply with the overall Grading Plan attached hereto as Schedule "A" and to prepare and submit a detailed Grading Plan satisfactory to the Commissioner of Building prior to the issuance of the building permit .
18. (a) The Purchaser covenants to the CITY to comply with the overall Grading Plan the detailed Grading Plan and the service Agreement in its construction on the purchased land and in the related matters set out therein as requirements of the City.
(b) The land shall be conveyed to the Purchaser subject to an Easement (in a form satisfactory to the City) over the subject land for the benefit of the Vendor for the purpose of enabling the vendor, in its discretion, to enter the land to carry out Lot grading or other matters in the event the Purchaser fails to comply with the requirements of:
 - the overall Grading Plan attached hereto as Schedule "A",
 - the Service Agreement attached hereto as Schedule "B"; and
 - the said approved detailed Grading Plan.The Vendor may do such works as may be required so that the lot grading and other required matters are in compliance with the said requirements.

The Purchaser agrees to enter into the easement at least two weeks prior to closing and to register the easement on title to the land prior to the closing of the sale of this land to the Purchaser. The Purchaser agrees that the costs incurred by the Vendor in performing said works shall be deducted from the Refundable Security and upon Release of the easement provided for below, the Vendor agrees to return any remaining monies to the Purchaser less said costs without interest or penalty and subject to the provisions on the refund set out in the Service Agreement. Notwithstanding and without limiting the foregoing the Vendor reserves the right to apply the said Security against the cost to remedy any default of the Purchaser under this agreement, the Service Agreement or any other unpaid taxes or charges due the City and to the take all other action to recover its costs should said costs exceed the amount of security.

Offer to Purchase - Page 5

The said Easement will expire five (5) years after the completion of construction of a house on the land or upon written Release by the City of the easement, whichever is earlier.

19. It is understood and agreed that this Offer to Purchase Agreement and the Service Agreement shall be registered on title to the land herein by the Purchaser at its expense prior to closing.
20. The Owner shall be responsible for seeding and sodding the front, rear and sides of the lot, including the untravelled portion of the road allowance to the property line.
21. The Purchaser agrees that its covenants and agreements herein to and with the Vendor shall not merge on closing but shall continue in full force and effect for the benefit of the Vendor and continue as an obligation upon the Purchaser, its successors and permitted assigns having the same force and effect as a covenant running with the subject property appurtenant to and for the benefit of the dominant tenement land of the Vendor, namely City Hall, 71 Main Street West, Hamilton, briefly described as Part One on Plan 62R-6730.
22. The Purchaser acknowledges to the Vendor that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:
 - (a) to pay municipal, realty and business taxes;
 - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
 - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
 - (d) to pay building permit application fee;
 - (e) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
 - (f) to pay for the connection of all utilities to the premises;
 - (g) to prepare and obtain approval of site plan(s) pursuant to The Planning Act prior to the issuance of a building permit and to enter into a Site Plan Agreement, if required by the municipality;
 - (h) to convey five percent (5%) of the land or to pay cash in lieu thereof to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
 - (i) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application, the Purchaser acknowledges, is subject to the approval of the City and the approval of the Ontario Municipal Board. The Purchaser acknowledges and agrees that notwithstanding the fact that the City has entered into this Agreement as Vendor with the Purchaser, that the City may, in its absolute discretion, decline, refuse and/or oppose the Purchaser's proposed zoning amendment(s). The Purchaser agrees that the response of the City in respect of the City's Agreement for the sale of the subject property under this Agreement to the Purchaser shall not in any event be considered bad faith on the part of the City as vendor under this agreement.
 - (j) to pay Development Charges to the City, the Region and the Boards of Education.
23. No assignment of the interest of the Purchaser or any portion of such interest shall be valid unless and until the assignee(s) and the Purchaser enter into an Assumption Agreement satisfactory to, and with the City, and register same on or before closing on title to the subject property.

Such assumption agreement shall include:

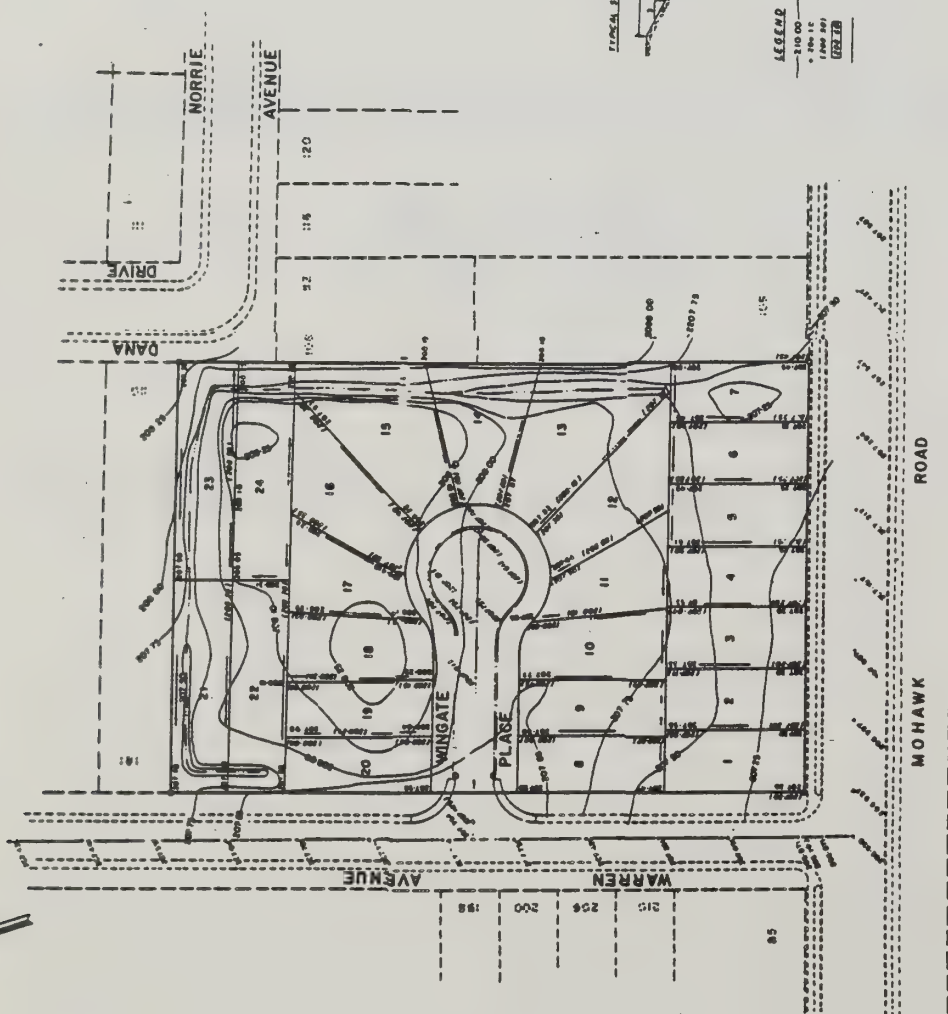
- a) the assignee's covenant to the City to fulfil all of the obligations of the Assignor, including the entering into and registering the easement to the City and the Service Agreement; and
- b) confirmation of the City's rights to retain the deposit and security deposit received from the Vendor in the event of any applicable default by the purchaser or the assignee.

List of Schedules attached to and forming part of an
Offer to Purchase made by
on the day of 19

Schedule "A" - Overall Grading Plan

Schedule "B" - Service Agreement

Schedule "C" - Plan showing property



TYPE 2
SPLIT DRAINAGE - BOTH TO
STREET AND REAR LOT LINE

TYPE 1
ALL DRAINAGE TO STREET

3 May

SPLIT DRAINAGE - BOTH TO
STREET AND REAR LOT LINE

more



November 1996, 2, 10, 17, 24, 31
 Dec. 1, 8, 15, 22, 29

LEGEND

DATE	DESCRIPTION OF SURFACE OBSERVATIONS	DEPTH	TEMPERATURE	WIND	SEA	WEATHER
2100		0	15.0	0	0	0
2200		0	15.0	0	0	0
2300		0	15.0	0	0	0
2400		0	15.0	0	0	0
2500		0	15.0	0	0	0
2600		0	15.0	0	0	0
2700		0	15.0	0	0	0
2800		0	15.0	0	0	0
2900		0	15.0	0	0	0
3000		0	15.0	0	0	0

STANDARD CHARGING NOTES

[illegible]

SCHEDULE

THE REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH
DEPARTMENT OF ENGINEERING

GRADING PLAN
WHETEN COURT SUBDIVISION

LOCALIS

10

1111

Abstract

100

4

1500

SERVICE AGREEMENT

THIS AGREEMENT made in quadruplicate this ____ day of ____ 19__ A.D.

B E T W E E N: _____

hereinafter called the OWNER

-and-

THE CORPORATION OF THE CITY OF HAMILTON

hereinafter called the City

-and-

The Spouse of the OWNER

WHEREAS,

- (a) the OWNER has purchased the land described in Schedule "A" (hereinafter referred to as the land) from the City, subject to the obligation to enter into this agreement to record obligations due the City regarding development on the land;
- (b) the OWNER has deposited with the City prior to closing a certified cheque in an amount of \$3,000.00. to be held as partial security for performance of this agreement and has agreed to grant the City a registered easement on this land to enforce its rights;

SECTION I - REGISTRATION OF AGREEMENT

- (a) OWNER will, at his expense, register this Agreement against the land, before the land is conveyed to him.
- (b) OWNER covenants and agrees to the terms and conditions as set out herein.

SECTION II - SIDEWALKS, CURBS & PRELIMINARY ROADS ON BOUNDARY HIGHWAYS

The OWNER agrees to pay for the repair of any damage caused to the road or sidewalk by the Owner's construction within six (6) months of constructing a house.

SECTION III - STREET SEEDING

The Owner shall be responsible for seeding and sodding the front, rear and sides of the lot, including the untravelled portion of the road allowance to the property line. This work shall be completed within six (6) months occupancy of a house.

SECTION IV - GRADING OF LAND

1. The OWNER shall comply with the "Overall Grading Plan" for the land and adjacent lands that is attached hereto as Schedule "A". The OWNER ACKNOWLEDGES THAT this plan shows:

- existing contours and proposed elevations of the land and adjacent lands;

- adjoining lands, sufficient to determine the existing and proposed drainage patterns;
- proposed elevations of roads, direction of surface drainage of each lot, as well as properties adjoining the land and adjacent land, existing swales, major proposed catch basins and inlets;
- the corner elevations of the land and other adjacent parcels;
- the location of all retaining walls where the walls shall exceed heights of 1.0 metres.

(ii) The OWNER COVENANTS TO THE CITY to prepare at its expense for the approval of the Building Commissioner, a "Detailed Grading Plan" for the land prepared by a Professional Engineer or an Ontario Land Surveyor. The Detailed Grading Plan shall show:

- the elevations at the corners of the land, which must conform to elevations approved on the overall Grading Plan;
- the elevations of the proposed sidewalk in front of or beside the land and where no sidewalk is proposed then the corresponding road elevation;
- the elevation and design and basis of design of all retaining walls required under Subsection (i) above;
- the ground elevation on all sides of the building and the driveway elevation at the house;
- all swales, with cross sections of these swales;
- cross sections of all slopes where the vertical height is in excess of 1.0 metre and the slope exceeds one in ten.

2. The OWNER shall, at his expense, carry out and complete upon the land, the grading in accordance with the OVERALL Grading Plan and the Detailed Grading Plan within six (6) months of the "Insulation Inspection approval date" by the Building Commissioner. If the six (6) month period after the Insulation Inspection approval date falls after November 1st and before June 15 following, then the grading shall be completed by June 15 of the same year as the said June 15 falls;

3. (a) The Owner shall, within six (6) months of the insulation inspection date (or by June 15) as provided for above, where applicable, submit, at his expense, to the Building Commissioner, a Certificate for the land issued by a Professional Engineer:

- (i) in which the Engineer certifies to the City, without qualification, that the lot grading on the land as required by the overall Grading Plan and the Detailed Grading Plan have been duly fulfilled; and,
- (ii) his Certificate shall set out the description of the Land, the name of the Owner, as well as the full name, address and phone number of the Engineer.

(b) The Owner is released from his grading obligations in respect of the land certified within four (4) weeks of the receipt of the Certificate, unless:

- (i) the City has inspected the grading and notifies either the Owner or the Engineer who issued the Certificate or both, that the grading is not in compliance : or,

(ii) the Owner and/or the Engineer who issue the Certificate are notified by the City that the Certificate is not in compliance with the requirements herein.

(Notification by the City to the Owner or to the Engineer:

-shall be deemed sufficient if sent by prepaid registered mail to the Engineer at his address set out on his Certificate or to the Owner at the address set out below.

-shall be deemed to have received as of the date of registration.

-notice to either of them by registered mail or personal service shall be deemed notice to the other, and

-may be issued by the Office of the Building Commissioner.)

Name and Address of Owner

(NOTE: This address may also be used for any other Notice or demand to the Owner from the City pursuant to this Agreement)

(c) In the event that the Owner does not comply with Subsections 1, 2 and 3 or any of them, the Owner agrees that the City (in addition to any other remedy the City has) may (but is not obliged to) enter the land and do the required work (including the preparation and issuance of an Engineer's Certificate confirming compliance but, this Certificate obtained by the City shall not release the Owner from his obligations (as the Certificate obtained by the Owner referred to in Subsection 3(a) may) and recover the costs thereof out of the security held by the City.

4. The Owner covenants and agrees, for himself, his successors and assigns not to apply for and demand, and agrees that neither he or his successors or assigns shall be entitled to apply for and demand a Building Permit for the land, unless and until the Detailed Grading Plan has been approved by the Building Commissioner;

5. (a) The owner, from time to time, (including the Owner), of the land shall not alter the grading of his land after the City has received the Engineer's certificate referred to in Subsection 3(a) (and not given notification that it is unsatisfactory within the four week period) or after the City has received a Certificate confirming compliance referred to in Subsection 3(c).

However, an owner is not prevented from undertaking improvements to his land as long as these do not interfere with the completion of the grading and drainage of adjacent lands.

- (b) In the event that the Building Commissioner determines that the grading of this land has been altered to the extent of interfering with the completion of the grading of adjacent lands, then the City may, in addition to any other rights it has, enter this land and do the work necessary to permit completion of adequate grading of the adjacent lands and collect the costs from the owner of this land or from the security.

SECTION V - DEVELOPMENT CHARGE

All land shall be assessed a Development Charge. The development charge shall be calculated and collected by the City prior to the issuance of a building permit for this land in accordance with the City's Development charges By-Law.

SECTION VI - NOISE REDUCTION MEASURES - APPLICABLE ONLY TO LOTS 1 TO 7 INCLUSIVE

1. All dwelling units on Lots 1 to 7 inclusive shall be heated with a forced air system which must have adequate provisions for an owner-installed central air conditioning or mechanical ventilation system at a later date.
2. The Builder shall install double glazed windows on all dwelling units on Lots 1 to 7 inclusive. Both glazing shall be a minimum 24 oz. weight glass with a minimum separation between the panes of one inch or other construction achieving the equivalent or improved acoustical performance. All windows and sliding doors shall be well fitted and weather stripped. There shall be installed within the individual dwelling units an owner-installed central air conditioning or equivalent mechanical ventilation system so that windows may be closed at the discretion of the occupant in order to achieve a suitable indoor noise environment. Air cooled condenser units for central air conditioning systems shall be located in a noise insensitive area.
3. Purchasers are advised that notwithstanding the noise control measures included in this development due to the increase in traffic volume, noise levels on this property may occasionally interfere with some activities of the occupant.

SUBSECTION VII - DRIVEWAY ACCESS - APPLICABLE TO LOTS 23 AND 24 ONLY

Driveway access to Lots 23 and 24 is restricted to the north side of the lot only and the location must be approved by the Director of Traffic.

SUBSECTION VIII - RIGHTS OF CITY ON DEFAULT BY OWNER

1. The Owner shall complete the installation of the street services, improvements and grading required by this Agreement, to the satisfaction of the Commissioner of Transportation and Environmental Services.
2. Where the Owner:
 - (a) fails to comply properly with the specifications or time schedules or other requirements of this Agreement in connection with the construction or installation of any street services and improvements and grading, which, under this Agreement, are required to be installed by and at the expense of the Owner;
 - (b) fails to comply with good engineering practice; or
 - (c) fails to maintain the street services and improvements as required by this Agreement;

the City by its servants, contractors, or agents at the expense of the Owner, may, in addition to any other rights it has, enter upon the land no matter whether the Owner is at that time the owner of the land, or whether the Owner has conveyed the land to another or others, and proceed to supply all necessary materials and perform all necessary work in connection with the property construction, installation and maintenance of such services as required under this Agreement, and such entry and supplying of necessary materials and carrying out of necessary work shall be undertaken and completed by the City as an agent of the owner and shall not be deemed to be an acceptance or assumption or any such service by the City. Any charges or expense resulting from works done by the City shall, in addition to any right of the City to recover such charge or expense from the owner, be a proper charge on the security.

SECTION IX - INDEMNIFICATION

1. The owner from time to time including the owner, for himself, his successors and assigns (including the subsequent owners from time to time of the land) covenants, acknowledges and agrees that notwithstanding the references in this agreement to works or materials being undertaken by the Owner as being subject to the approval, satisfaction, requirements, inspection, certificate, acceptance or similar acts of the City (including the employees or representatives of the City such as the Region and its employees), the City shall not be taken as having made any representations or warranties to the Owner or to anyone else as to the sufficiency or correctness of such works or materials.

2. The Owner covenants and agrees to indemnify and save harmless the "City" from any and all actions, causes of action, suits, interest, claims and demands, losses and costs whatsoever that may arise through or from the terms of this Agreement, including and without limiting the generality of the foregoing, through or from the acts of the City referred to in the previous clause or otherwise.

SECTION X - CONSENT OF SPOUSE

The Spouse of the Owner hereby consents to the making of this Service Agreement.

SECTION XI - COVENANTS TO RUN WITH LAND

All the covenants and conditions contained herein shall enure to the benefits of and be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns.

SECTION XII

The Owner agrees that its covenants and agreements herein to and with the City shall not merge on closing but shall continue in full force and effect for the benefit of the City and continue as an obligation upon the Owner, its successors and assigns having the same force and effect as a covenant running with the subject property appurtenant to and for the benefit of the land of the dominant tenement land of the City, namely City Hall, 71 Main Street West, Hamilton, briefly described as Part One on Plan 62R-6730.

IN WITNESS WHEREOF the OWNER and the OWNER's Spouse have hereunto set their hands and seals, (or, being a Corporation has caused to be affixed its corporate seal under the hands of its proper officers duly authorized in that behalf), and the City has caused to be affixed its corporate seal under the hands of its proper officers duly authorized in that behalf.

SIGNED, SEALED AND DELIVERED

in the Presence of

)
) _____
)
)
) _____
)
)
) _____
)
)
) _____
)

APPROVED as to form

THE CORPORATION OF THE CITY OF HAMILTON

for City Solicitor

ROBERT M. MORROW - MAYOR

J. J. SCHATZ - CITY CLERK

2(FXi)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 26

REPORT TO: Mr. K. Christenson, Secretary
Transport & Environment Committee

FROM: P. Noé Johnson
City Solicitor

RECEIVED

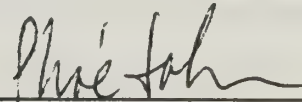
MAR 02 1993

CITY CLERKS

SUBJECT: Local Improvements of sidewalks on Upper Paradise
Road - \$47,700.00

RECOMMENDATION:

That City Council enact the attached By-law to authorize construction of local improvements of sidewalks on Upper Paradise Road from Stone Church Road to approx. 187m southerly and from approx. 86m south of Skyview Drive to approx. 83m southerly.



P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The construction of these local improvements was approved by Council on May 12, 1992, in adopting Item 25 of the 6th Report of the Transport and Environment Committee and Item 4 of the 12th Report of the Finance and Administration Committee subject to the Ontario Municipal Board's approval to the financing of the work. On Friday, August 28, 1992, the Ontario Municipal Board's Order No. E920755 was granted.

City Council on October 27, 1992 in adopting Item 29(i) of the 11th Report of the Transport and Environment Committee and Item 5(a) of the 21st Report of the Finance and Administration Committee approved the additional City's share of this project by \$20,000.00 to be financed from the 1992 Capital Levy. On Thursday, December 14, 1992, the Ontario Municipal Board's Order No. E920755 was granted approving this additional cost.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

To Amend By-law 92-278

To Authorize:

The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalk on the east side of UPPER PARADISE ROAD from Stone Church Road to approx. 187m southerly and from approx. 86m south of Skyview Drive to approx. 83m southerly, at a revised total estimated cost, as described in Schedule "A";

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 25 of the 6th Report of the Transport & Environment Committee on May 12, 1992, authorizing the local improvement project at an estimated gross cost of \$27,700.00 with the City's Share being \$7,964.00 and the Owner's Share being \$19,736.00;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 4 of the 12th Report of the Finance & Administration Committee on May 12, 1992, authorizing the City's Share to be financed from the 1992 Capital Levy and recommending application to the Regional Municipality of Hamilton-Wentworth for issuance of debentures in the amount of \$19,736.00 for a term not to exceed 20 years;

AND WHEREAS the Ontario Municipal Board did, on the 28th day of August, 1992, issue Order No. E920755 approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at a total estimated cost of \$27,700.00 and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$19,736.00.

AND WHEREAS the Corporation of the City of Hamilton enacted By-law No. 92-278 on the 10th day of November, 1992 to authorize the said local improvement project, more specifically described in Schedule "A" annexed thereto and forming part of the by-law, at an estimated gross cost of \$27,700.00, with the City's Share being \$7,964.00 and the Owner's Share being \$19,736.00.

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 29(1) of the 11th Report of the Transport & Environment Committee on October 27, 1992 increasing the City's Share from \$7,964.00 to \$27,964.00, as described in Schedule "A" annexed hereto;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 5(a) of the 21st Report of the Finance & Administration Committee on October 27, 1992 increasing the gross cost from \$27,700.00 to \$47,700.00 with an additional cost of the City's Share being \$20,000.00, as described in Schedule "A" annexed hereto.

AND WHEREAS the Ontario Municipal Board did, on the 24th day of December, 1992 issue Order No. E920755 approving the application of the City for an amendment to Order No. E920755 authorizing construction of the works more particularly described in Schedule "A" annexed hereto at a revised total estimated cost of \$47,700.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 92-278 is hereby revoked and the following substituted therefor:
 - "1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$47,700.00."
2. Schedule "A" annexed to and forming part of By-law No. 92-278 is hereby revoked and Schedule "A" annexed hereto and forming part of this by-law is substituted therefor.
3. In all other respects, By-law No. 92-278 is hereby confirmed unchanged.

PASSED this day of , A.D. 1993.

City Clerk

Mayor

(1992) 6 R.T.E.C. 25, May 12
(1992) 12 R.F.A.C. 4, May 12
(1992) 11 R.T.E.C. 29, October 27
(1992) 21 R.F.A.C. 5, October 27

SCHEDULE "A"

The construction of concrete sidewalk on the east side of UPPER PARADISE ROAD from Stone Church Road to approx. 187m southerly and from approx. 86m south of Skyview Drive to approx. 83m southerly at the costs not exceeding those set out below:

City's Share	\$ 27,964.00
Owners' Share	<u>19,736.00</u>
TOTAL ESTIMATED COST	<u>\$ 47,700.00</u>
Estimated Cost per metre frontage	\$ 80.00
Fifteen (15) annual instalments	

2(FXii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 26

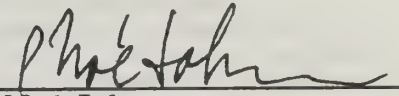
REPORT TO: Kevin Christenson, Secretary
Transport and Environment Committee

FROM: P. Noé Johnson
City Solicitor

SUBJECT: Local improvements of sidewalks on Limeridge Road -
\$60,000.00

RECOMMENDATION:

That City Council enact the attached By-law to authorize construction of local improvements of sidewalks on Limeridge Road from Upper Wellington Street to approx. 263m easterly and from approx. 376m east of Upper Wellington Street to approx. 69m easterly.



P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The construction of these local improvements was approved by Council on October 27, 1992, in adopting Item 29 of the 11th Report of the Transport & Environment Committee and Item 5 of the 21st Report of the Finance & Administration Committee subject to the Ontario Municipal Board's approval to the financing of the work. On Thursday, March 18, 1993, the Ontario Municipal Board's Order No. E930007 was granted.

:sr
Att.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93 -

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalks on the south side of Limeridge Road from Upper Wellington Street to approx. 263m easterly and from approx. 376m east of Upper Wellington Street to approx. 69m easterly, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Senior Director of Roads.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 34 of the 8th Report of the Transport & Environment Committee on July 28, 1992;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 14 of the 15th Report of the Finance & Administration Committee on July 28, 1992;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt item 29(iii) of the 11th Report of the Transport & Environment Committee on October 27, 1992 increasing the City's share from \$25,588.80 to \$35,588.80, as described in Schedule "A" annexed hereto;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 5(c) of the 21st Report of the Finance & Administration Committee on October 27, 1992 increasing the gross cost from \$50,000.00 to \$60,000.00 with an additional cost of the City's share being \$10,000.00, as described in Schedule "A" annexed hereto;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 18th day of March, 1993, issue Order No. E930007 approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at a total estimated cost of \$60,000.00 and,

- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$24,411.20.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$60,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$24,411.20 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$24,411.20;
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Senior Director of Roads is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of , A.D. 1993.

CITY CLERK

MAYOR

1992) 8 R.T.E.C. 34, July 28
 (1992) 15 R.F.A.C. 14, July 28
 (1992) 11 R.T.E.C. 29(iii), October 27
 (1992) 21 R.F.A.C. 5(a), October 27

SCHEDULE "A"

The construction of concrete sidewalk on the south side of LIMERIDGE ROAD from Upper Wellington Street to approx. 263m easterly and from approx. 376m east of Upper Wellington Street to approx. 69m easterly at the costs not exceeding those set out below:

City's Share	\$ 35,588.80
Owners' Share	<u>24,411.20</u>
TOTAL ESTIMATED COST	<u>\$ 60,000.00</u>
Estimated Cost per metre frontage	\$ 80.00
Fifteen (15) annual instalments	

2(4)(i)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 March 30

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Supply and Delivery of Vehicle Actuated Traffic
Controllers, Traffic Department

RECOMMENDATION:

That a purchase order be issued to Fortran Traffic Systems Limited, Scarborough, for the supply and delivery of Vehicle Actuated Traffic Controllers as and when required during 1993 by the Traffic Department, being the lowest of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Traffic Signal Materials Account No. CH56152-75999.


T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds provided in Traffic Signal Materials Account No. CH56152-75999.

BACKGROUND: Tender Analysis

	8 Phase <u>Controller</u>	4 Phase <u>Controller</u>	8 Phase <u>Timer</u>	<u>Dis.</u>	<u>Can.Cont.</u>
Fortran	\$5,989.03	\$5,189.13	\$1,986.42	1%	\$60,274.06
Novax Industries	5,998.00	5,285.00	1,988.00	2%	62,178.26
Econolite Canada	6,565.00	5,480.00	2,135.00	1%	63,086.08
Tacel Ltd.	6,572.00	5,882.00	2,960.00	0%	65,574.85
Pocatec Ltd. *	7,912.00	6,608.00	1,235.00	0%	68,873.68

* Prices bid only apply if awarded all three items. GST and PST extra. Estimated expenditure during 1993 \$100,000.

CITY OF HAMILTON

2(4)(ii)

- RECOMMENDATION -

DATE: 1993 March 31

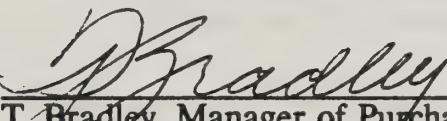
REPORT TO: Mr. K. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Annual Supply of Athlete Field Lime, Public Works
Department

RECOMMENDATION:

That a purchase order be issued to Steetley Lime & Aggregates, Dundas, for the supply and delivery of Athlete Field Lime as and when required during 1993 by the Public Works Department in the amount of \$14.55 per metric tonne plus applicable taxes, being the lowest acceptable of two tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, and be financed through Stock Materials Account No. CH56197 60999.


T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds provided in Stock Materials Account No. CH56197 60999.

BACKGROUND: Bid Analysis

Steetley \$14.55 per metric tonne x 6,000 tonnes	\$87,300
Standard Aggregate \$10.55 per metric tonne x 6,000 tonnes	<u>63,300</u>
Possible savings	24,000

Standard Aggregate bid on delivering a full tractor trailer which is unacceptable to the Parks division of Public Works. We have analyzed the \$24,000 possible savings to see if it was realistic. When all of the additional costs were considered for delivering material from the one location to the various baseball diamonds in the parks where this commodity is used, the cost would be three to four times the savings if were to buy from Standard Aggregate. In addition, the Parks division does not have the staff or the equipment to make the individual deliveries.

CITY OF HAMILTON

2(H)

- RECOMMENDATION -

DATE: 1993 March 30

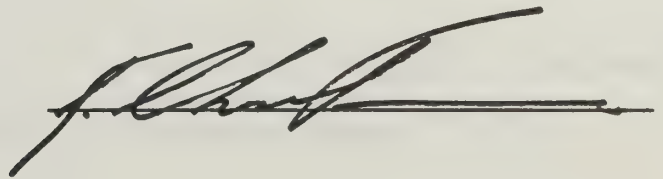
REPORT TO: Chairman and Members
Transport and Environment Committee

FROM: Kevin C. Christenson, Secretary
Transport and Environment Committee

SUBJECT: Information Reports

RECOMMENDATION:

That the attached list of Information Reports that were previously distributed to the Transport and Environment Committee, be received.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

Attachment

**INFORMATION
REPORTS**

**TRANSPORTATION AND ENVIRONMENT
COMMITTEE**

Date	From	Subject	Date
1993 February	Environment Ontario	Ontario's Waste Reduction Action Plan	1993 March 22
1993 March 17	Ontario Waste Management Association	Etobicoke Council Overrules Works Committee	1993 March 22
1993 March 17	Ontario Waste Management Association	OWMA Chooses Blueprint Project Consultant	1993 March 22
1993 March 19	Murray Main Director of Traffic Services	Parking Regulation Notices (TEC-74-93)	1993 March 30
1993 March 31	Jim Halliday Senior Director of Environmental Services Department	Harbour Front Recycling Inc. Amendment for Certificate of Approval	1993 March 30

Kevin C. Christenson, Secretary
1993 March 30

CITY CLERK'S DEPARTMENT

3(a)

MEMORANDUM

**TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee**

YOUR FILE:

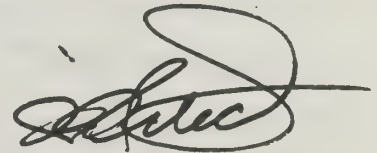
**FROM: Mr. J. J. Schatz
City Clerk**

**OUR FILE:
PHONE: 546-4587**

**SUBJECT: Revised 1993 Reconstruction Programme
For Roads and Sidewalks**

DATE: 1993 March 12

Please be advised that City Council at its meeting held 1993 March 9 agreed to refer the matter of the proposed amendments to the 1993 Road and Sidewalk Capital Improvement Programme back to the Transport and Environment Committee.



c. **E. M. Gill, P.Eng., Senior Director,
Roads Department**

**J. P. Halliday, P.Eng., Senior Director,
Environmental Services Department**

**M. F. Main, P.Eng.
Director of Traffic Services**

**L. D. Turvey, Commissioner
Transportation/Environmental Services Group**

CITY OF HAMILTON

- INFORMATION -

DATE: 1993 April 2

REPORT TO: Chairman and Members
Transport and Environment Committee

FROM: Kevin C. Christenson, Secretary
Transport and Environment Committee

SUBJECT: Referral Back from Council, Section 41 of
the SECOND Report of the Transport and Environment
Committee 1993 respecting roads and sidewalk.

BACKGROUND:

At its meeting of 1993 February 1, the Transport and Environment Committee considered a report from the Director of Public Works regarding the "1993 Proposed Road and Sidewalk Capital Improvement Program". The Committee approved the report attached hereto as Appendix "A".

At the Council meeting of 1993 February 9, the Transport and Environment Committee report was considered and approved. However, inadvertently, the wrong schedule (Appendix "B") was attached to the Council Report. For the information of the Committee, Appendix "B" was a preliminary list prepared by the Public Works Department.

As this clearly was not the recommendation from the Transport and Environment Committee, and as Schedule "A" has already been taken to Regional Council and approved resulting in contracts being let by the Regional Engineering Department in order to facilitate sewer, water and road work combined, it is strictly a matter of clarification to send back to Council, the original Schedule "A".


Attachments

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 January 21

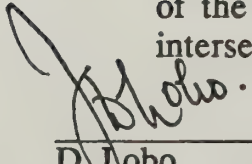
REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: D. Lobo,
Director of Public Works

SUBJECT: 1993 Proposed Road and Sidewalk
Capital Improvement Programme

RECOMMENDATION:

- a) That the proposed 1993 Road and Sidewalk Capital Improvement Programme in the amount of seven million dollars (\$7,000,000.) be approved; and,
- b) That the Commissioner of Transportation/Environmental Services be authorized to undertake the works on behalf of the City of Hamilton once all the necessary approvals have been received; and,
- c) That the City Solicitor prepare the necessary by-laws and the City Clerk be authorized and directed to advertise these by-laws as required by Section 300 of the Municipal Act of the City's intention to proceed with the altering of the following streets:
 - i) Mount Albion Road from approximately 90m north of Albright Road to approximately 110m south of Albright Road - widening to provide a left turn lane.
 - ii) Sanders Boulevard from West Park Avenue to Norfolk Street - road narrowing.
- d) That the Director of Property be authorized and directed to negotiate the purchase of the land required for the widening of the Mount Albion and Albright Road intersection.



D. Lobo,
Director of Public Works

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above "Recommendations".

BACKGROUND:

The Draft 1993 to 1997 Capital Budget makes a provision in the amount of seven million dollars (\$7,000,000.) for the reconstruction of roads and sidewalks in the City of Hamilton in 1993. The estimated subsidy from the Ministry of Transportation of Ontario (MTO) is two million, two hundred and forty thousand dollars (\$2,240,000.) and the net cost for the City is estimated at four million, seven hundred and sixty thousand dollars (\$4,760,000.). The proposed Programme for 1993 is divided into the following sections:

- a) Roads and Abutting Sidewalks
- b) Sidewalks on Regional Roads
- c) Sidewalks and Road Resurfacing
- d) Miscellaneous Projects
- e) Supplementary List

All the necessary work on the underground and overhead services will be undertaken prior to or at the time of the road reconstruction. All streets requiring reconstruction in the Programme have been identified in the latest Road Needs Study as "now deficient" or requiring improvement in the next one to five years under the criteria established by the MTO.

Some of the roads requiring improvement in the one to five year range are being undertaken now in conjunction with sewer/watermain work. A higher priority is assigned to streets where sewer and/or watermain construction is proposed by the Region. Through this co-ordination of various construction activities, cost-saving to the City and Region and significantly less disruption to the area residents and the travelling public will be achieved.

Based on the above considerations, the proposed 1993 Capital Improvement Programme is as shown on the attached Schedule 'A'.

RPM:bk
Attch.

cc: E. M. Gill, Senior Director
Roads Department
(attch)
M. F. Main, Director
of Traffic Services
(attch)
A. Ross, City Treasurer
Treasury Department
ATTN: N. Adhya, Manager of Budgets
(attch)
J. Halliday, Senior Director
Environmental Services
(attch)
D. W. Vyce, Director
Property Department
P. Noe Johnson, City Solicitor
Law Department
J. Schatz, City Clerk
City Clerk's Department

OFFICE OF THE CITY CLERK	
JAN 22 1993	
REC. BY	DATE
REF'D. TO	DATE
REF'D. TO	DATE
REF'D. TO	DATE
ACTION:	
.....	
.....	

CITY OF HAMILTON
1993 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME

A. Roads and Abutting Sidewalks

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Bond Street	King	Main		
East 14th Street	Inverness	North End	in conjunction with sewer work	\$ 487,300.
Nottingham Avenue	Tenth	Winchester	1992 Carry Over	208,800.
Ratcliffe Court	Dunkirk	South End	1992 Carry Over	172,100.
Rennie Street	Parkdale	Waterloo		79,600.
Whitney Avenue	Main	155m east of	1992 Carry Over	1,327,800.
		Rifle Range	in conjunction with sewer work	1,127,800.

Contingency

These projects are being included on the Programme but are contingent upon Regional Environmental Services Budget approval.

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Central Avenue	Summerhill	Parkdale	in conjunction with sewer work	136,600.
David Avenue	South Bend	Duncombe	in conjunction with sewer work	117,100.
Dodson Street	South Bend	McElroy	in conjunction with sewer work	61,400.
Hoover Crescent	Fennell	Welbourn	in conjunction with sewer work	44,500.
McElroy Road	Dodson	Welbourn	in conjunction with sewer work	59,600.
Seven Oaks Drive	South Bend	Delevan	in conjunction with sewer work	16,500.
Sheridan Drive	East 16th	Holt	in conjunction with sewer work	149,800.
South Bend Road	Dodson	Seven Oaks	in conjunction with sewer work	102,400.
Tragina Avenue	Main	82m south of	in conjunction with sewer work	556,400.
		Monterey		
Welbourn Drive	Hoover	McElroy	in conjunction with sewer work	221,900.

B. Sidewalks on Regional Roads

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>ESTIMATE</u>
Fennell Avenue	Upper Ottawa	Mountain Brow	\$179,800.
Garth Street	Fennell	Bendamere	65,200.
Mohawk Road	Upper Sherman	Upper Ottawa	279,800.
Provision for sidewalks on Regional Road Projects - approval pending			587,000.

C. Sidewalks and Road Resurfacing

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>ESTIMATE</u>
Brunswick Street	Vansitmart	Walmer	100,000.
Chedmac Drive	Rice	270m westerly	50,000.
Kirk Road	Beach Boulevard	West End	17,700.
Mareve Avenue	Beach Boulevard	East End	19,400.
Osbourne Street	Barton	Walmer	131,200.
Walmer Road	Woodward	Talbot	145,800.

D. Miscellaneous Projects

<u>DESCRIPTION</u>	<u>ESTIMATE</u>
Catch Basin and Drain Connections -various locations in conjunction with Regional Local Improvement sewers	50,000.
Mount Albion Road and Albright Road - road widening to provide left turn lanes including land acquisition costs	70,000.
Streetlighting - various locations - modifications and upgrades generally in conjunction with road works	434,500.

E. Supplementary List

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Macklin Avenue	drainage channel slope stabilization			180,000.
Macauley Street	John	Wellington		309,500.
Sanders Boulevard	Norfolk	West Park	Proposed Road Narrowing	963,700.

January 29, 1993

**CITY OF HAMILTON
1993 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME**

A. Roads and Abutting Sidewalks

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Bond Street	King	Main	In conjunction with sewer work	\$ 487,300.
David Avenue	South Bend	Duncombe	In conjunction with sewer work	117,100.
East 14th Street	Inverness	North End	1992 Carry Over	208,800.
Hoover Crescent	Fennell	Welbourn	In conjunction with sewer work	44,500.
Nottingham Avenue	Tenth	Winchester	1992 Carry Over	172,100.
Rennie Street	Parkdale	Waterloo	1992 Carry Over	1,327,800.
Sanders Boulevard	Norfolk	West Park	Proposed Road Narrowing	963,700.
Sheridan Drive	East 16th	Holt	In conjunction with sewer work	149,800.
Welbourn Drive	Hoover	McElroy	In conjunction with sewer work	221,900.
Whitney Avenue	Main	155m east of Rifle Range	In conjunction with sewer work	1,127,800.

B. Sidewalks on Regional Roads

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>ESTIMATE</u>
Fennell Avenue	Upper Ottawa	Mountain Brow	\$179,800.
Garth Street	Fennell	Bendamere	65,200.
Mohawk Road	Upper Sherman	Upper Ottawa	279,800.
Provision for sidewalks on Regional Road Projects - approval pending			587,000.

C. Sidewalks and Road Resurfacing

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>ESTIMATE</u>
Brunswick Street	Vansitmart	Walmer	100,000.
Chedmac Drive	Rice	270m westerly	50,000.
Kirk Road	Beach Boulevard	West End	17,700.
Mareve Avenue	Beach Boulevard	East End	19,400.
Osbourne Street	Barton	Walmer	131,200.
Walmer Road	Woodward	Talbot	145,800.

D. Miscellaneous Projects

<u>DESCRIPTION</u>	<u>ESTIMATE</u>
Catch Basin and Drain Connections -various locations in conjunction with Regional Local Improvement sewers	50,000.
Mount Albion Road and Albright Road - road widening to provide left turn lanes including land acquisition costs	70,000.
Streetlighting - various locations - modifications and upgrades generally in conjunction with road works	483,300.

E. Supplementary List

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>ESTIMATE</u>
McElroy Road	Dodson	Wellbourn	59,600.
Seven Oaks Drive	South Bend	Delevan	16,500.
South Bend Road	Dodson	Seven Oaks	102,400.
Dodson Street	South Bend	McElroy	61,400.
Tragina Avenue	Main	82m south of	556,400.
		Monterey	
Central Avenue	Summerhill	Parkdale	136,600.
Haddon Avenue	Westwood	Stroud	243,200.
Ratcliffe Court	Dunkirk	South End	79,600.
Macklin Avenue	drainage channel slope stabilization		180,000.
Macauley Street	John	Wellington	309,500.
Huntington Avenue	Brentwood	Kingslea	217,600.

3(b)

CITY CLERK'S DEPARTMENT

MEMORANDUM

TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

YOUR FILE:

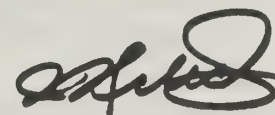
FROM: Mr. J. J. Schatz
City Clerk

OUR FILE:
PHONE: 546-4587

SUBJECT: Availability of Disabled Parking
at No. 1 Hunter Street East

DATE: 1993 March 12

Sub-joined is a copy of Section 38 of the THIRD Report of the Transport and Environment Committee which was referred back by City Council at its meeting held 1993 March 9 with instructions that a delegation representing the disabled community be invited to attend the meeting of the Transport and Environment Committee when this matter is considered.



c. Mr. Murray Main, P.Eng.
Director of Traffic Services

- (a) That the Regional Council be advised that the City of Hamilton Traffic By-law does not provide for reserved disabled parking spaces on City streets; and
- (b) That a recommendation be forwarded to the Regional Department of Social Services that reserved disabled parking spaces be provided within existing parking areas on their own property.

200-006

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 February 9

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

RECEIVED

FEB 19 1993

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

CITY CLERKS

SUBJECT:

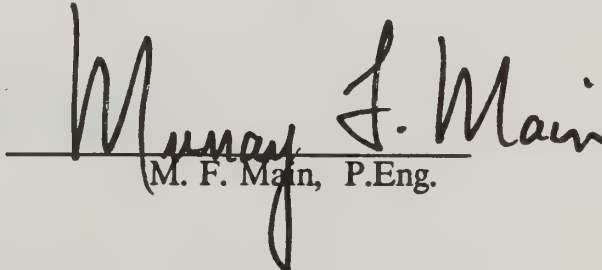
No. 41 Isabel Avenue - Discharge of Residential Boulevard Parking Agreement. [TEC-41-93]

RECOMMENDATION:

- a) That the existing residential boulevard parking agreement registered as Instrument No. 41066 to the property at No. 41 Isabel Avenue be discharged, at the property owners' expense; and
- b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A


M. F. Main, P.Eng.

BACKGROUND:

In 1989, the Traffic Department approved an application by the owner of the property at No. 41 Isabel Avenue to widen his existing driveway to allow one vehicle to be parked partially on the boulevard in front of this single family home. The agreement was completed and registered in the Land Registry Office by the owner of the property on 1990 March 27.

The Lawyer representing the owner of the property has now written to the Traffic Department requesting that the agreement be discharged since the existing driveway was never widened. The Traffic Department has reviewed this matter and concurs with the request.


CVB/ca



The Corporation of the
City of Burlington

City Hall:
426 Brant Street, Burlington, Ontario,
Mailing Address:
P.O. Box 5013, Burlington, Ontario, C.

Telephone: (416) 335-7699
Fax No.: (416) 335-7881

3(c)

March 9, 1993

Mr. Joseph Schatz, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

SUBJECT: Policies for the Safe Storage, Transfer and Destruction of PCB
Wastes
File: 502-02-7

The Council of the Corporation of the City of Burlington at its regular meeting held on Monday, March 8, 1993 enacted the following resolution being Item No. PW-88-93:

THAT the Minister of the Environment be requested to implement programs to facilitate the destruction of PCB wastes to avoid the need for permanent PCB waste storage facilities in Ontario's communities.

Please present this resolution to your Council for endorsement.

Yours truly,

Helen MacRae
EXECUTIVE DIRECTOR, INFORMATION
SERVICES, AND CITY CLERK

AS/jm
6501-CL2(10)

OFFICE OF THE CITY CLERK

MAR 11 1993

REC. BY CB DATE.....
REF'D. TO J.D.T. DATE.....
REF'D. TO K.C. DATE.....
REF'D. TO _____ DATE.....

ACTION: F.Y.A.

The Municipality of
Metropolitan Toronto

Metropolitan Clerk's Department

Station 1071
7th Floor, Metro Hall
55 John Street
Toronto, Ontario, Canada M5V 3C6
Fax: (416) 392-2980 Telex: 06-23472
Telephone: (416) 392-8012

Daniel Crombie
Metropolitan Clerk

Novina Wong
Deputy Metropolitan Clerk

February 19, 1993.

3 (d)

1953

OFFICE OF THE CITY CLERK

FEB 26 1993

REC. BY *JA* DATE

REF'D. TO DATE

REF'D. TO *K.C.* DATE *93/1/10*

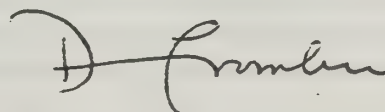
REF'D. TO DATE

ACTION: *F.Y.I./A.*

ALL REGIONAL AND LOCAL MUNICIPALITIES IN ONTARIO:

I am enclosing for your information and any attention deemed necessary, the appended Clause No. 1 contained in Report No. 6 of The Works Committee which was adopted, as amended, by the Council of The Municipality of Metropolitan Toronto at its meeting held on February 17 and 18, 1993.

May I draw your attention to the amendment by Council found at the end of the Clause.



Metropolitan Clerk.

N. Wong/csb

Encl.

Sent to: Minister of the Environment and Energy, Province of Ontario
Metropolitan Toronto Chairman
Commissioner of Works
All Regional and Local Municipalities in Ontario
All Interested Parties

Clause embodied in Report No. 6 of The Works Committee adopted, as amended, by the Council of The Municipality of Metropolitan Toronto at its meeting held on February 17 and 18, 1993.

1

**PROPOSED NORTHERN ONTARIO SOLID WASTE MANAGEMENT
SYSTEM PROJECT AT THE FORMER ADAMS MINE SITE.**

The Works Committee:

- (1) recommends the adoption of the following resolution:**

"WHEREAS the Interim Waste Authority (I.W.A.) is responsible for finding a landfill site to service the Regions of York and Metropolitan Toronto and is presently evaluating a short list of sites within York Region;

AND WHEREAS the I.W.A. has been exempted from examining reasonable alternatives such as landfill sites outside of Metropolitan Toronto and York Region;

AND WHEREAS prior to the directives from the present government, Metropolitan Toronto and the Solid Waste Interim Steering Committee had solicited proposals for landfill sites outside of the Greater Toronto Area;

AND WHEREAS Metropolitan Toronto, in response to a proposal from Notre Development Corporation and the municipalities of Kirkland Lake, Larder Lake and Englehart, had undertaken preliminary investigations related to the former Adams Mine Site;

AND WHEREAS such investigations at the Adams Mine Site revealed that favourable conditions exist for the development of the site for a landfill;

AND WHEREAS there has been demonstrated public support from local residents for "a full environmental assessment of the Adams Mine solid waste disposal and recycling project";

NOW THEREFORE BE IT RESOLVED THAT the Minister of the Environment be requested to take such steps as are necessary to ensure that the I.W.A. include the former Adams Mine Site, and any other sites that may come forward, in a full Environmental Assessment through a comparative evaluation with all sites presently included on the short list of sites to service the Municipality of Metropolitan Toronto and the Regional Municipality of York;

AND FURTHER THAT the Metropolitan Chairman meet with the Minister for the Environment to facilitate inclusion of the Adams Mine Site in the comparative evaluation of the short list by the I.W.A.;

AND FURTHER THAT the Commissioner of Works prepare a report outlining the projected costs to obtain the additional information necessary for a comparative evaluation;

AND FURTHER THAT the Minister of the Environment be notified that the Regions of York and Durham have been working co-operatively with Metropolitan Toronto in pursuing the inclusion of the Adams Mine Site as an alternative to be evaluated under an Environmental Assessment;

AND FURTHER THAT this resolution be circulated to all Regional and Local Municipalities in Ontario for endorsement"; and

- (2) directed that this matter be submitted to Council for consideration at its meeting on February 17, 1993.**

The Works Committee reports, for the information of Council, having directed that those interested parties not having the opportunity to appear before the Committee at its meeting on February 12, 1993, due to time constraints, be given a further opportunity to appear before the Committee at a future date.

The Works Committee submits the following report (January 6, 1993) from the Commissioner of Works:

Recommendation:

That this report be received for information.

Background:

On December 5, 1990, Metropolitan Council considered and deferred a report which recommended that Metropolitan Corporation enter into an option agreement with Notre Development Corp. for the purchase of the Adams Mine Site, located in Boston Township near Kirkland Lake, because of an announcement from the Minister of the Environment indicating that the Province would be assuming responsibility for the search and selection of future landfill sites for the Greater Toronto Area (G.T.A.). Council requested confirmation from the Minister before purchasing the option, and a letter from the Minister dated November 23, 1990, advised that "I would request Metropolitan Toronto to preserve these options (presumably referring to various sites under consideration at that time) through use of its landfill reserve funds".

On December 19 and 20, 1990, Council approved the aforementioned option agreement that provides for the eventual purchase of the Adams Mine Site for solid waste management purposes up until December 31, 1995. The site consists of a total area of 6,420 hectares comprised of 4,160 hectares in fee simple and 2,260 hectares under lease. The agreement provides that the option date can be extended if an application for the development of the site as a landfill is before a Hearing Board or is awaiting a judgement or an appeal on same.

Subsequently, the Minister announced that the Adams Mine Site and incineration need not be considered by the Interim Waste Authority (I.W.A.). This was confirmed by legislation with the passing of Bill 143, the Waste Management Act.

The Province's I.W.A. short list of proposed landfill sites was released on November 20, 1992. The final sites are currently scheduled to be announced in May, 1993. The proposed I.W.A. sites present the same social issues and public opposition that we experienced during our Solid Waste Environmental Assessment Plan (S.W.E.A.P.) and interim sites search process in 1989-90, and that led

While we are not recommending participation in the debate about the social issues of managing waste within the G.T.A. urban environment or opposition to the I.W.A. site selection process at this time or the financial impact of the I.W.A. on Metropolitan Toronto, we feel obliged to bring to attention the business issues associated with our investment in the option to purchase the Adams Mine Site and its expiry date, if no action is taken. Our preliminary estimates for the proposed Northern Ontario Solid Waste Management System indicate that over its life it is similar in cost and may possibly be less than the I.W.A. site. However, several assumptions had to be made in developing these preliminary cost estimates.

The next step to consider early in 1993, perhaps after the preferred I.W.A. site has been selected, is a more detailed conceptual design and cost estimate of the Northern option, if it is our intention to have sufficient information to make an informed decision about these alternatives and at the same time be in a position to submit an application under the E.A.A., which is a prerequisite of the agreement if we are to obtain an extension of the expiry date.

Funds have been allocated in the 1993-1997 Capital Works Program Estimates under Environmental Studies which would allow the engagement of consultants to conduct four seasons monitoring at the site and to refine cost estimates for rail haul and further preliminary design and development of the Northern Ontario Solid Waste Management System, a requirement of any proposed application. This step would put us in a position at the end of 1993, to make an informed decision on how Metropolitan Toronto should proceed with respect to the Adams Mine Site and I.W.A. landfill site options.

The next further step using the information obtained from the previous step would be to consider at least by 1994, whether to proceed with an application under the E.A.A. The estimated cost of preparing this application, excluding the costs of hearings, is between \$2,000,000.00 and \$7,000,000.00 depending on its scope. These costs may be incurred no matter which site is selected.

It would be preferable that the Province expand its search to include the Adams Mine Site in order that it can be compared with the I.W.A. sites and then only one application would be necessary.

Consideration should be given to possible alternative actions to follow up on the Adams Mine Site option and to what position Metropolitan Toronto should take with respect to the I.W.A. search and the future implications with respect to our Solid Waste Management Division staff and operating costs. If the site was developed by the private sector for waste management purposes after our option expired, our option payment would be returned; however, if it became necessary or desirable for us to use this site, we would have no predetermined satisfactory terms, conditions and costs for using the site.

The following persons made presentations to the Works Committee in connection with the foregoing matter:

- Commissioner of Works, Municipality of Metropolitan Toronto;
- Mr. Gordon McGuinty, President, Notre Development Corporation, and made a slide presentation with respect thereto;
- Mr. Robert A. Brook, Manager, Solid Waste Products, CP Rail, and made a video presentation with respect thereto;

to our decision as part of the Solid Waste Interim Steering Committee of the G.T.A. to recommend the option agreement with the only willing host municipality and land owner in Ontario at that time. The next step would have been to carry out a complete investigation of the Adams Mine Site under the Environmental Protection Act (E.P.A.) and Environmental Assessment Act (E.A.A.).

In view of the social issues and the public opposition to the I.W.A. sites including court challenges that can be anticipated, these sites cannot be assumed to be approvable or to be available on any date in the future. Consequently, we should consider what if any action is appropriate to ensure that the Adams Mine Site option is kept alive at least until the option expires or until another site is available.

In order to protect our position, some site investigation and detailed cost analysis is required as early as possible in 1993, if we are to have sufficient information on which to base a decision for further work in 1994, and subsequently, whether to exercise the option. For example, the rail haul cost will be offset by the I.W.A. site search and selection costs and higher land and development costs of the site selected in the G.T.A. The environmental control costs may also be significantly less because of the new control concept available at the Adams Mine Site.

Consideration should be given to the following alternatives:

- (1) take no further action in which case the option may expire on December 31, 1995, prior to any final decision on the I.W.A. sites. It should be noted that if the Adams Mine Site is subsequently approved for use for solid waste management purposes by others, we would receive a refund on our option payment but would have no right to use the site other than on the owner/operator's terms; or
- (2) offer the option for sale to attempt to recover some value for our investment; this alternative would require the approval of both the Host Communities and one of the current site owners; or
- (3) proceed with an application in conjunction with the site owners or independently. If we proceed independently, we should attempt to at least have our application before the Environmental Assessment Board as an alternative to the I.W.A. sites prior to expiry of the option. If we proceed in conjunction with the site owner, we should negotiate an agreement or memorandum of understanding that establishes the rights and obligations of each party.

The estimated cost to prepare and submit the application under the E.P.A./E.A.A. would be between two and seven million dollars not including a hearing. It should be noted that our share of the I.W.A. site search cost excluding hearing, acquisition, and development costs may be between \$12 and \$20 million dollars, depending on their method of apportioning cost.

The Legal Department will provide comments on these alternatives at the meeting.

The I.W.A. was created by the new Provincial government in 1990, and given a mandate based on the government's solid waste management philosophy and policies and the previous governments plan for solid waste management developing under the G.T.A. Solid Waste Interim Steering Committee were discontinued. There will be a provincial election before the option expires and the Adams Mine Site may yet be considered either as a result of opposition to the I.W.A. sites or new provincial solid waste management policies that could arise out of the 1995 provincial election.

-
- Mr. Richard K. Hayes, Manager, Industrial Development, CN North America, and made a video presentation with respect thereto;
 - Mayor Joe Mavrinac, Town of Kirkland Lake, and President, Association of Municipalities of Ontario;
 - Mayor Bettyanne Thib-Jelly, Town of Englehart;
 - Mr. Alan Tonks, Chairman, Municipality of Metropolitan Toronto;
 - Mr. Eldred King, Chairman, Region Municipality of York; and
 - Councillor John Aker, on behalf of Mr. Gary Herrema, Chairman, Regional Municipality of Durham.

The following persons appeared before the Works Committee in connection with the foregoing matter:

- Dr. George Duncan, President, Accurassay Laboratories, and Chairman of F.A.C.T.S. Committee;
- Mayor Stan Lawlor, City of North Bay, and Co-Chair, Rail Haul North Coalition;
- Mr. Richard Paulin, Local Chairman, Brotherhood of Maintenance of Way Employees, and Co-Chair, Rail Haul North Coalition;
- Mr. Michael Harris, M.P.P., Leader of the Progressive Conservative Party;
- Mr. Carman McClelland, M.P.P., Liberal Environment Critic, representing Ms. Lyn McLeod, Leader of the Official Opposition;
- Mr. Bob Gray, Chairman, Nipissing East Community Opportunities;
- Mr. Gregory Sorbara, M.P.P., York Centre;
- Mayor Lorna Jackson, City of Vaughan;
- Mr. W. Donald Cousens, M.P.P. Markham, and P.C. Environmental Critic;
- Regional Councillor Ken Dunphy representing Mayor Frank Scarpitti, Town of Markham;
- Ms. Heather G. Ritchie, Georgina Against Garbage;
- Mr. Ambrose Raftis, Anti-Garbage Coalition;
- Dr. John Epps, REEPA;
- Dr. Richard Denton, unorganized township neighbouring Adams Mine Site;
- Ms. Kathleen M. Brosemer, Northwatch, North Bay;
- Mr. Doug Fraser, Temiskaming Greens;
- Ms. Martha McSherry, REEPA; and
- Ms. Julia Munro, Chair, Environment Not Economics.

The Works Committee also had before it during consideration of the foregoing matter briefs submitted by the following:

- (i) Mayor Joe Mavrinac, Town of Kirkland Lake; Dr. George Duncan, President, Accurassay Laboratories, and Chairman, F.A.C.T.S. Committee, Kirkland Lake; Mayor Stan Lawlor, City of North Bay, and Co-Chair, Rail Haul North Coalition; Mr. Richard Paulin, Local Chairman, Brotherhood of Maintenance of Way Employees, and Co-Chair, Rail Haul North Coalition; and Mayor Bettyanne Thib-Jelly, Town of Englehart;
- (ii) Mr. Bob Gray, Chairman, Nipissing East Community Opportunities;
- (iii) Mr. Ambrose Raftis, Anti-Garbage Coalition, Kirkland Lake;
- (iv) Dr. John Epps, REEPA;
- (v) Ms. Kathleen Brosemer, Northwatch, North Bay;

- (vi) Mr. David Tilson, M.P.P., Dufferin-Peel;
- (vii) Mayor Margaret Britnell, Township of King; and
- (viii) Mr. Bruce Reed, President, The Credit Valley Coalition.

(A copy of each of the aforementioned briefs has been forwarded to all Members of Council, and a copy thereof is on file in the office of the Metropolitan Clerk.)

(The Metropolitan Council on February 17 and 18, 1993, amended the foregoing Clause by striking out the word "sites " in the third line of the first operative paragraph of the resolution, and inserting in lieu thereof the word "proposals ".)

OFFICE OF THE MAYOR
Phone 705-567-9361



P.O. Bag 1757
Kirkland Lake, Ontario
P2N 3P4

CORPORATION OF THE TOWN OF KIRKLAND LAKE

February 19, 1993

TO WHOM IT MAY CONCERN:

The Council of the Municipality of Metropolitan Toronto, at its meeting of February 17, 1993, passed a resolution that the Ministry of the Environment be requested to do whatever is necessary to ensure that the I.W.A. include the former Adams Mine Site and any other proposals that may come forward in a full Environmental Assessment through a comparative evaluation with all sites presently included on the short list of sites to service the Municipality of Metro Toronto and the Regional Municipality of York.

Kirkland Lake fully supports Metro's initiative and believes this resolution is of utmost importance to Kirkland Lake, Larder Lake, Englehart, Northern Ontario, Ontario, and all municipalities in Ontario.

All municipalities in Ontario should recognize that under Bill 143 the Provincial Government took over the siting of landfills from the municipalities in the Greater Toronto Area.

Other options such as rail haul and incineration have been completely excluded as an option.

It is time for municipalities to stand together and support this request to open up the legislation. I urge you to support and endorse this resolution and upon approval forward it to the Minister of the Environment, the Premier of Ontario and your M.P.P.

I appreciate your co-operation and your support.

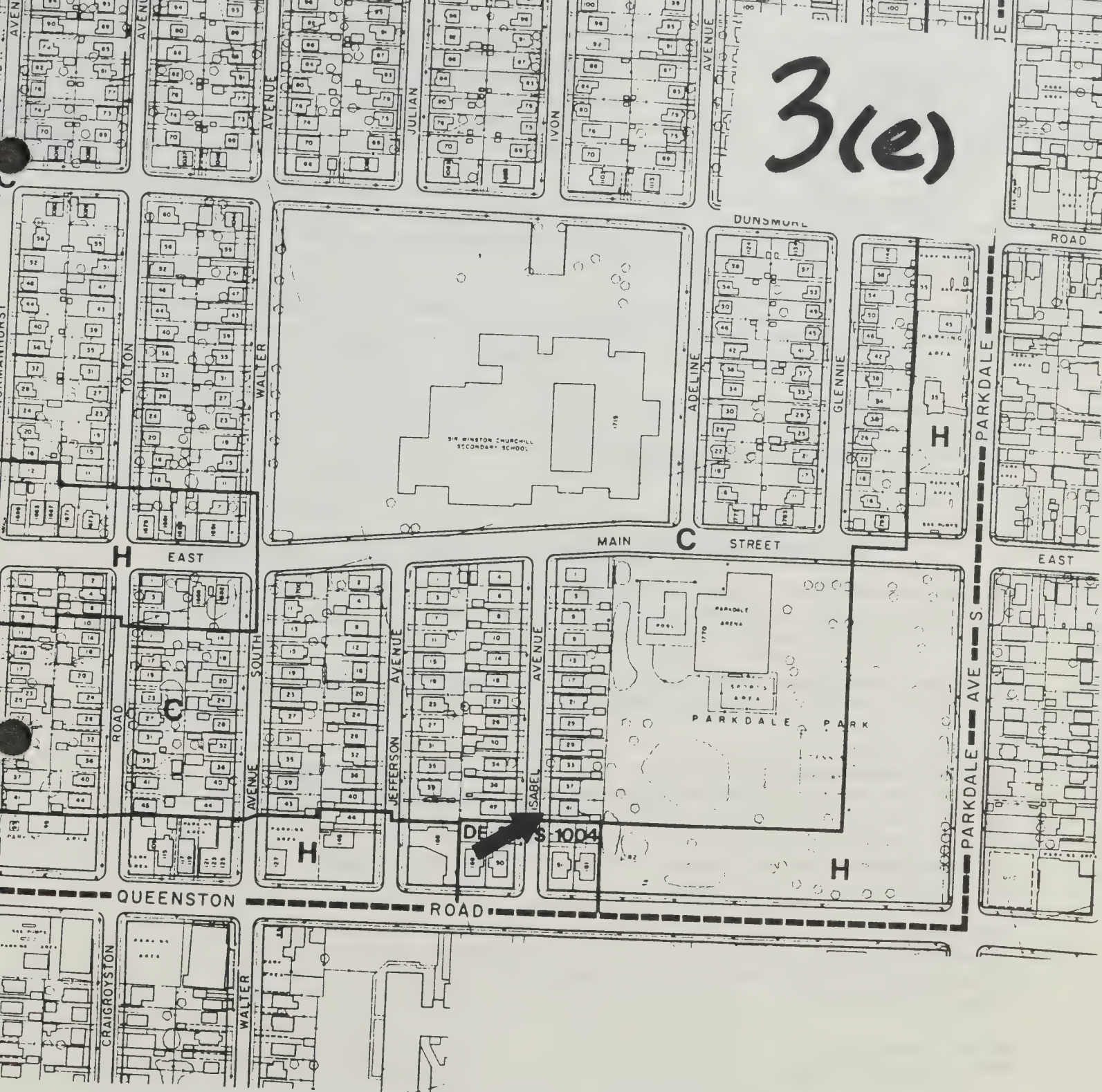
Yours truly,

Joe Mavrinac,

MAYOR

JM:pl

3(e)



74	75	109
66	105	100
9	52	51

This is not a Legal Document
For Zoning Verification Please
Contact City Building Department.

----- Neighbourhood Boundary
———— Zoning Boundary.





OFFICE OF THE
TOWN MANAGER/CLERK
ROBERT W. SMALL, A.M.C.T., C.M.O.
180 KENT STREET WEST
LINDSAY, ONTARIO
K9V 2Y6

(705) 324-6171
(705) 324-2051 (FAX)

OFFICE OF THE CITY CLERK

MAR 16 1993

REC. BY *J.D.* DATE *Mar 14/93*
REF'D TO *K.C.* DATE "
REF'D. TO DATE
REF'D. TO DATE

ACTION: *For D. & E.*



March 11, 1993

ALL MUNICIPALITIES IN ONTARIO

Dear Mayor and Council:

RE: Request Endorsement of Resolution - Rail Line

Please be advised that the Council of the Town of Lindsay passed the enclosed resolution CR930256 regarding the Rail Line on February 22, 1993. The following resolution was also passed:

That the resolution regarding the rail line be forwarded to all municipalities in Ontario to elicit their support. CR930257
CARRIED

Council urges you to endorse the resolution and requests that you advise the Ministry of Transportation and your local M.P.P. of your support.

If your municipality passes a resolution in support, we would appreciate being advised.

Sincerely,

Robert W. Small

Robert Small,
Town Manager/Clerk

Encl.

RWS/jr

WHEREAS municipalities across Ontario have historically participated and contributed to the development of the rail network across this Province;

AND WHEREAS the economic base of municipalities across Ontario has developed in relation to access to the rail infrastructure;

AND WHEREAS the economic viability and competitiveness of municipalities across Ontario, and the economic viability and competitiveness of the Province as a whole, is being adversely effected by the continued dismantling of our rail infrastructure;

AND WHEREAS the damage to our already fragile environment will be significantly increased due to the loss of rail service and the added congestion and damage to our already over-crowded highways;

AND WHEREAS the current policy of CN and CP Rail allows for the railways to deal with local municipalities on a piecemeal basis and thereby allows for the systematic fragmentation of the provincial network without major opposition being mounted;

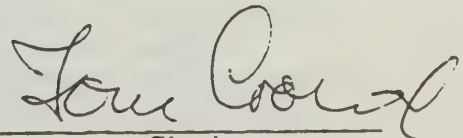
BE IT RESOLVED that the Association of Municipalities of Ontario strongly urge the Provincial Ministry of Transportation to immediately oppose further applications to the National Transportation Agency under the National Transportation Act as it presently reads;

AND FURTHER that no further track, ties or other rail infrastructure be removed and no further rail corridors or properties be assigned to other parties until the following:

- (1) That both Canadian National Railways and Canadian Pacific Railways business plans, operating procedures, marketing strategies and all pertinent financial records and documents be thoroughly analyzed by a joint Federal/Provincial Task Force so that the necessity of instituting and maintaining regional rail service will be objectively investigated.
- (2) That the National Transportation Act be revised to address the economic and social implications of the loss of rail service in those municipalities effected. Consideration must extend beyond the financial records and documents provided by the rail carrier.

Moved by 

Seconded by Katherine D. Hick


Chairperson



The Corporation
Of The City Of
Thunder Bay

OFFICE OF
500 Donald Stre
THUNDER BAY
P7E 5V3
Telephone (807)
Fax (807) 623-1

3(f)

January 26, 1993

Mayor Robert Morrow
City of Hamilton
71 Main Street West
HAMILTON, Ontario
L8N 3T4

Dear Mayor Morrow:

Re: Survival: Great Lakes/St. Lawrence Seaway System

As I am sure you are aware, the Great Lakes/St. Lawrence Seaway System has been under considerable duress these last several years because of changing economic conditions and Federal Government transportation policies.

In particular, the Western Grain Transportation Act (WGTA) enacted by Parliament in 1984 to amend the regulations and financial environment for the carriage of Canadian grain by Canadian railways within the prairie provinces to the Port of Thunder Bay, Churchill and west coast ports has been a major influence in re-directing prairie grain through the west coast ports to the detriment of the Great Lakes/St. Lawrence Seaway System. Numerous studies including a recently completed Round Table chaired by the Federal Minister of State for Transport, the Honourable Shirley Martin, identified that these distortions do indeed have an influence on the directional movement of grain.

Unfortunately, the future of the Canadian lake fleet is under severe duress. Its future is uncertain as is the future of the Port of Thunder Bay and ultimately, the future of the Great Lakes/St. Lawrence Seaway System. Your City is a major benefactor from the maritime industry serving Ontario ports and industry as well as western Canada resource and agricultural business.

.../2

To Clerk

for 7+4. Comm.

revenue

BOB

- 2 -

Mayor Robert Morrow
City of Hamilton

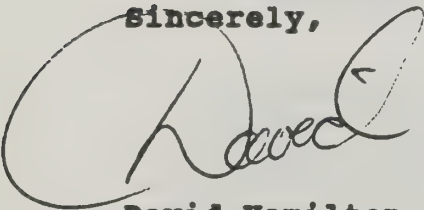
January 26, 1993

The Thunder Bay Harbour Commission has developed a WGTA Offset Program (attached) to provide subsidies to move grain east of Thunder Bay via water in order that the eastern route's system can be competitive with the all-rail subsidized route to the west coast. This proposal is seen strictly as a short term initiative while reform of the WGTA is undertaken. Proposed reforms are expected to take up to 4 or 5 years. If we don't provide support mechanisms for the eastern system, it is quite probable that further serious damage to the system's viability and indeed, survival, will occur during any such phase-in period.

Accordingly, our City Council has adopted the attached resolution in support of the proposed Offset Program. I am seeking the support of the City of Hamilton by resolution to also endorse this proposal. The harbour commission or other maritime officials in your City can provide you with more information or you are welcome to contact Mr. C.A. Cook, General Manager & C.E.O. of the Thunder Bay Harbour Commission to provide further details.

I look forward to your support in this worthwhile endeavour.

Sincerely,

A handwritten signature in dark ink, appearing to read 'David Hamilton', with a large, stylized initial 'D'.

David Hamilton
Mayor
City of Thunder Bay

Attachment

SEAWAY TRANSITIONAL WGTA OFFSET PROGRAM

TRANSITION:

Federal/Provincial discussions on WGTA reform have identified the need for a phased approach where possible. Seaway interests support immediate change in order to remove distortions which make the Seaway a less competitive option for western grain shippers and which are contributing to the demise of the Seaway infrastructure for grain and other commodities.

The removal of these distortions will level the playing field for the Great Lakes/St. Lawrence Seaway in grain routing decisions and provide a more competitive framework for the Seaway generally. However, if a phased approach over an extended period is required, transitional measures to provide equivalent support for eastern and western grain movement is necessary to ensure the viability of the Seaway's grain infrastructure until WGTA distortions are fully removed through the reform process.

The need to address the transition period of WGTA reform was a conclusion of the multi-stakeholders Seaway Round Table.

TRANSITIONAL OFF-SET PROGRAM CRITERIA:

The design of a transitional support mechanism has been guided by the following four principles:

1. Support must be directly related to grain transportation. Other issues of Great Lakes/St. Lawrence Seaway system competitiveness cannot be addressed through the WGTA reform process.
2. Transitional measures must be system-wide with respect to the Seaway infrastructure. Reductions in grain volume effect all Seaway grain handling stakeholders equally. Transitional support needs to be targeted to shipowners, ports, ship and port employees, terminal, marine suppliers and other components of the Seaway system in proportion to the benefits each gain from grain movement.
3. Transitional support for the Seaway will be linked directly to the implementation of WGTA reform. As WGTA reform is phased in (on an annual basis) transitional support will be phased out in direct proportion. Full implementation of WGTA change eliminating distortions will end the Transitional Offset Program.
4. Support cannot disrupt Canadian Wheat Board marketing principles. For example, directing grain movement on signals unrelated to price.

THE SEAWAY TRANSITIONAL WGTA OFF-SET PROGRAM:

To provide equivalency of east-west movement during the WGTA transition period, the following is advocated:

- the establishment of Crow Benefit equivalent level subsidization of grain movement east to Lower St. Lawrence elevator points. Seaway grain movement would receive the 2/3 government share - equivalent to grain moving to west coast ports under the current freight rate structure and cash subsidy to railways;
- this support would be related directly to the removal of WGTA distortions and would be fully removed when WGTA reform, eliminating distortions, is fully implemented. This can be assured through the Monitoring and Management working group established to track and report on WGTA transition;
- support should be administered through direct contributions to the Canadian Wheat Board and shippers of non-board grains and should be based on actual grain movement through the Great Lakes/St. Lawrence Seaway system;
- support would be available only to water transport while distortions continue to exist and would decline as the current Method of Payment is phased out and by a like amount any adjustment in freight rates to correct current distortions.

BENEFITS OF THE SEAWAY OFFSET PROGRAM:

The Seaway Round Table, with the participation of key stakeholders throughout the grain handling system, concluded that the Seaway is clearly desirable for the effective long term marketing of Canadian grain. It also concluded that WGTA distortions currently disadvantage the Seaway route and that interim action may be required to create stable demand and encourage the retention of Seaway capacity.

The Seaway Transitional WGTA Off-Set Program is tailored to meet these challenges. Its benefits include:

- Slowing the alarming rate of critical Seaway system infrastructure attrition if full implementation of WGTA reform is not implemented quickly;
- Making the Seaway a more competitive option for western grain farmers;
- Reduces federal government costs for producer support programs such as GRIP and NISA by equalizing the artificially high cost of moving grain through the Great Lakes/St. Lawrence Seaway system. Also reduced expenditures on CWB grain cross-hauls.

- Transition is sunsetted against WGTA reform - not a permanent program;
- Does not distort CWB marketing practices like other proposed remedies would, ie., guaranteed throughput, penalties on "excess" west coast movement, etc.;
- Provides east-west cost equity;
- Enhances the competitiveness of the Great Lakes/St. Lawrence system for the transportation of other commodities effecting other Canadian based industry;
- Protects employment and economic benefits throughout the Seaway system;
- Provides support throughout the Seaway system;
- Removes artificial incentives for capital investment on other routes.

SUMMARY:

Supporters of this proposal advocate immediate changes to the WGTA to remove distortions working against the Seaway as a competitive grain transportation route. Immediate change precludes the need for transitional measures. However, if WGTA reform is phased over time, the companies listed below endorse the above model for transitional support.

THUNDER BAY HARBOUR COMMISSION

CANADIAN SHIPOWNERS ASSOCIATION

Algoma Central Corporation, Sault Ste. Marie

The C.S.L. Group Inc., Montreal

EnerChem Transport Inc., Montreal

Imperial Oil Limited, Toronto (Esso)

GLBC Inc., St. Catharines

Groupe Desgagnes (1981) Inc., Quebec City

Logistec Navigation Inc., Montreal

N.M. Paterson & Sons Ltd., Thunder Bay

Oceanex Inc., Montreal

P & H Shipping, Mississauga

Shell Canadian Tankers Limited, Calgary

Soconav Inc., Montreal

ULS International Inc., Toronto

THUNDER BAY CHAMBER OF COMMERCE

THUNDER BAY ECONOMIC DEVELOPMENT CORPORATION

CANADIAN LAKEHEAD PORT COUNCIL

Seafarers' International Union of Canada
 International Longshoremen's Association, Local 479
 United Steelworkers of America, Local 5055
 International Longshoremen's Association, Local 1867
 Transportation & Communications Union, Lodge 650
 Sheet Metal Worker's International Association
 Union of Canadian Transport Employees, Local 50505
 International Association of Bridge, Structural & Ornamental Ironworkers, Local 759
 International Brotherhood of Boilermakers, Local 128, Ontario
 Labourers International Union of N.A., Local 607
 I.W.A., Canada, Local 2693
 Canadian Merchant Service Guild, Eastern Branch
 United Food & Commercial Union, Local 281
 Teamsters Union, Local 990

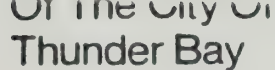
THUNDER BAY GRAIN TRIMMERS LTD.

CANADIAN GRAIN TRIMMERS LTD.

ST. CATHARINES CHAMBER OF COMMERCE

THE CORPORATION OF THE CITY OF THUNDER BAY

THE SHIPPING FEDERATION OF CANADA



212T

AND THAT resolutions for the Federation of Canadian Municipalities and the Association of Municipalities of Ontario be prepared for Committee's consideration.

CITY CLERK

TO:	INSTRUCTIONS	BY:
H. T. Kirk	Compliance	
File		
.		
-		
		.
		.

3(9)

22 Melca
Suite 405
PO Box
Station E
Ottawa,
K1P 5P9
(613) 594-3271
Fax: (613) 594-3271

Fax: (613) 594-3271

TRANSPORT 2000 CANADA

25 January, 1993

Mr. Robert Morrow
Mayor, City of Hamilton
71 Main Street W
Hamilton, Ont
L8N 3T4
Fax 416-546-2095

re: Voyageur Colonial complaint to National Transportation Agency (NTA) concerning VIA Rail's discount fares

Dear Mayor Morrow,

The Canadian bus industry, through the above-noted complaint is launching a major attack on rail passenger service. Your VIA trains are threatened.

The immediate goal of their request for an NTA hearing is curtailment of VIA's pricing freedom. The immediate result of any NTA endorsement of the bus industry position will be an undercutting of VIA's financial capabilities to deliver service.

The ultimate product of an unfavourable NTA decision may well be a significant (and, possibly, even total) curtailment of the rail passenger mode, thereby condemning your community to dependence on polluting surface transportation options forever restricted to a top speed of 100 kph and highly vulnerable to ever-worsening congestion. Most of those who would have selected the rail mode can be expected to opt for use of the automobile with increased demands for roads and parking.

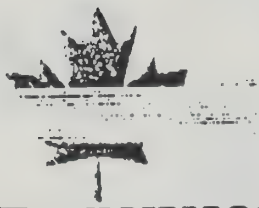
I suggest that it is critical that your community request to intervene in the NTA hearings in support of VIA's management freedom. As Amtrak has demonstrated in the United States, the efficiency of rail passenger operations can be dramatically improved. We believe VIA management is committed to a similar course, but such gains won't happen if key VIA responsibilities are allowed to be kidnapped by the bus interests.

Please write to Claude Jacques, Secretary, National Transportation Agency, 15 Eddy Street, Hull, Que. K1A 0H3 - Fax: (819)953-5253, and request to participate in public hearings.

Sincerely,

RR Evans

R.R. Evans
National President



TRANSPORT 2000 CANADA

RECEIVED

FEB 16 1993

22 Metcalfe St.
Suite 405
P.O. Box 858
Station B
Ottawa, Ontario
K1P 5P9
(613) 594-3290
Fax: (613) 594-3271

22, rue Metcalfe
Bureau 405
C.P. 858
Succursale B
Ottawa (Ontario)
K1P 5P9
(613) 594-3290
Fax: (613) 594-3271

CITY CLERKS
F A C S I M I L E M E M O

8 February, 1993

1 page only

✓ MR. KEVIN CHRISTENSON

Mayor Robert Morrow

SEL - TUTTG

City of Hamilton

community

Fax: 416-546-2095

re: Voyageur Colonial complaint to the National Transportation Agency (NTA) concerning VIA Rail's discount fares

Further to my recent letter, please be advised that the NTA will be holding public hearings on the above matter in the Ottawa area comencing on 5 May, 1993.

The immediate question is whether VIA Rail should be allowed to continue to offer discount rates on off-peak days in order to bolster its traffic (and revenues). But, the fundamental issue is whether VIA is going to be allowed the management freedom it needs to improve its financial performance and thereby ensure the continuance of rail passenger service to your community.

As you know, on 15 December, 1990, VIA Rail's schedules were severely curtailed. Some of those discontinued trains were subsequently restored, but you should be aware that the bus industry interventions are also taking aim at those restored trains. "Get rid of them", they are saying.

At Transport 2000, we are very concerned that an absence of serious opposition to the Voyageur Colonial application, will be interpreted by the government as an indication that they can further slash VIA services with little political risk. This concern motivated my earlier letter and underscores this fax.

We will be pleased to provide you with a copy of our intended intervention together with some related background material. We will be equally pleased to extend the services of our Ottawa office in support of your participation at the hearings.

Your request to intervene should be addressed to M. Claude Jacques, Secretary, National Transportation Agency, 15 Eddy Street, Hull, Que., K1A 0H3 - (FAX: (819) 953-5253).

R. R. Evans
National President

RR



CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 February 26

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

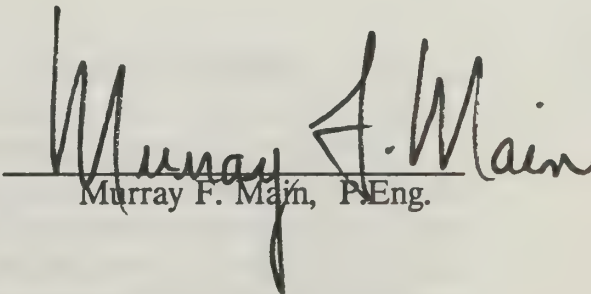
Deletion of Nash Road, Barton Street to King Street from the Truck Route System. [TEC-56-93]

RECOMMENDATION:

That the present status of Nash Road, Barton Street to King Street, as a part-time truck route 7:00 a.m. to 7:00 p.m., remain unchanged.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

No changes are recommended.


Murray F. Main, P.Eng.

BACKGROUND:

A. Source of Request

Alderman Dominic Agostino has forwarded a request from two residents of Nash Road. The residents requested that Nash Road, Barton Street to King Street, be deleted from the Truck Route System.

B. Regional Truck Route Sub-Committee

As the majority of truck routes in Hamilton are on Regional roads, and as the deletion of Nash Road as a truck route would impact on Regional truck routes, Alderman Agostino's

request was first presented to the Truck Route Sub-committee of Transportation Services Committee for comment. The Sub-committee agreed that Nash Road should remain a part-time (7:00 a.m. to 7:00 p.m.) truck route by a recorded vote of 4-1.

C. Present Status

Nash Road is a truck route during the hours of 7:00 a.m. to 7:00 p.m. daily.

Nash Road is a four-lane arterial roadway, bounded mainly by single-family residential housing with some open lands and institutional land uses. There are commercial developments near the intersections of Queenston Road and Barton Street.

D. Truck Volumes

Weekday truck volumes are moderate. Recent traffic counts show that in the 7 heaviest hours of the day, approximately 200 heavy vehicles use Nash Road. The distribution of volume is about equal between the northbound and southbound directions. The volume of traffic shows there is significant demand for the use of Nash Road as a truck route.

The two parallel truck routes are Parkdale Avenue and Centennial Parkway. For comparison, Parkdale carries about the same volume of truck traffic in 7 hours as Nash Road. As Parkdale is a full-time truck route, it carries much more truck traffic on a 24-hour basis. Centennial Parkway carries about 1300 heavy vehicles in the 7 heaviest hours of the day.

E. Collision History

In the past 10 years, on the section of Nash Road between Barton and King, there have been 29 collisions involving heavy vehicles travelling on Nash Road. Most of these collisions (16) occurred at or near the intersection of Nash and Queenston, and may have been associated with local deliveries. In 58% of the collisions the driver of the truck was recorded as having made an error which caused the collision.

As heavy vehicles would still have to use Nash Road to make local deliveries, it is estimated that perhaps two-thirds of the collisions could have been avoided if Nash Road were not in the truck route system. Conversely, the parallel neighbouring streets, such as Centennial Parkway and Queenston Road would likely have experienced an increase of at least as many heavy vehicle collisions if Nash Road were removed from the truck route system and trucks were required to use alternate routes. In any case, the requested change would increase the total distance travelled by trucks in the area, and the added distance and exposure directly translates to more collisions.

F. Consequences of Removing Nash Road from the Truck Route System

Removing Nash Road from the truck route system would require heavy vehicles on through trips to re-route to parallel streets such as Centennial Parkway or Parkdale Avenue. Local deliveries would continue to use Nash Road, as permitted by the Traffic By-law.

Following are some of the consequences which would occur:

- Eastbound King Street trucks would turn left at Parkdale. There are no left turn lanes at King and Parkdale as there are at King and Nash. This means that the left turn manoeuvre is less safe. In addition, more truck traffic would use Parkdale Avenue, which is bounded by single family homes, similar to Nash Road. Parkdale Avenue in this area is already a full-time truck route.
- Trucks travelling northbound on Centennial Parkway and westbound on King Street would be required to use Centennial Parkway and travel by single-family houses south of Queenston Road. Additional traffic would be forced to use the intersections of Queenston at Centennial and Barton at Centennial. These intersections are already heavily congested and the addition of truck traffic would add to the existing delays to all users of the intersection. Queenston at Centennial has the 9th highest rate of collision occurrence in Hamilton-Wentworth and Barton at Centennial ranks 31st. It is preferable for northbound left turns by heavy vehicles to occur at King and Centennial, which is equipped with special left turn signals.

G. Conclusions

To summarize, Nash Road is a part-time truck route which carries a significant volume of traffic and serves a useful purpose as part of the truck route system. The collision history of Nash Road with regard to trucks is only average. However, redirecting truck traffic to parallel streets would a) expose heavy vehicles to roadways and intersections with a higher level of risk and b) result in more heavy vehicle miles travelled, which in total would result in more motor vehicle collisions. While Nash Road is bounded by single family residential homes, it is not unlike many other truck routes in Hamilton which have similar frontages. Redirecting some heavy vehicles to parallel arteries would subject those streets, which are full-time truck routes bounded by single family homes, to additional truck traffic.

It is therefore recommended that there be no change in the present status of Nash Road as a part-time truck route.

HLS/ca

5(a)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 March 30

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Supply and Delivery of Traffic Paint during 1993

RECOMMENDATION:

That a purchase order be issued to Ibis Products Limited, Scarborough, for the supply and delivery of Traffic Paint as and when required during 1993, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, at the following prices, and be financed through Pavement Markings Material Account No. 56153 75999:

White and Yellow non-coning in 205 l. containers	\$1.75 l.
White and Yellow coning in 20 l. containers	1.84 l.

GST and PST extra


T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds provided in Pavement Markings Material Account No. 56153 75999.

BACKGROUND:

	<u>Price per Litre</u>		
	<u>White/Yellow</u> <u>Non-Coning</u> Approx. 75,000 l.	<u>White/Yellow</u> <u>Coning</u> Approx. 21,000 l.	<u>Totals</u> <u>based on</u> <u>Est. Qts</u>
Ibis Products Limited, Scarborough	\$1.75	\$1.84	\$169,890
Niagara Paint & Chemical, Hamilton	1.76	\$1.86	171,060
ICI Paints (Canada) Inc., Concord	No Bid	2.09 Partial bid	43,890

GST and PST extra to above prices. Estimated expenditure during 1993 \$200,000.

54

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 30

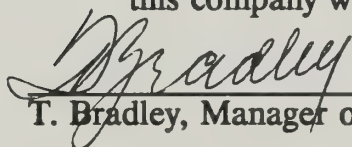
REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: Removal of Pavement Markings, Traffic Department

RECOMMENDATION:

- a) That the recommendation to A & A Restoration's, Hamilton, approved by Council March 9, 1993, be rescinded.
- b) That a purchase order be issued to Empery Road Services, Hamilton, for removal of pavement markings using Sandblasting Equipment as and when required during 1993 and 1994 by the Traffic Department, being the lowest of three quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Contractual Services Account No. CH56364 75999.
- c) That A & A Restoration's be deleted from our Bidders' List for a period of four years due to the fact that this current contract is for a two year period and therefore this company would not be entitled to bid on the next tender call.


T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds provided Contractual Services Account No. CH56364 75999.

BACKGROUND: Tender Analysis, price per square meter, GST extra

	<u>1993</u>	<u>1994</u>
Empery Road Services, Hamilton	\$34.25	\$34.75
Atlas Specialized Coatings & Sandblast, Cayuga	36.00	37.00
Kennaway Contracting Inc., Hamilton	60.00	63.00
A & A Restoration's Hamilton	14.00	14.80
Estimated expenditure during 1993 \$80,000		

BACKGROUND: Cont'd.

During the review of the tenders, the Traffic Department staff interviewed A & A Restoration's to explain the extent of the work involved and to confirm with them that the work could be done at the prices tendered. Before the report was sent to Committee, my staff inquired of the Traffic Department if they were satisfied with the contractor, that the price was correct and that the supplier had confirmed he understood the work involved. These questions were confirmed by the Traffic Department.

A recommendation was therefore sent to Committee and Council, and we proceeded to obtain the contractor's insurance and Workers' Compensation. The first document was received on March 17 and the attached letter, advising us that he could not honour his prices as tendered due to an estimator's error, was received on March 19. This matter has been reviewed with our Law Department and they are recommending that we proceed with the second low bidder and not consider the revised price from A & A Restoration's.

Since this matter has been brought to our attention, we have met with the second bidder and have advised him of the work involved, the time limits that are required, and discussed his price, and he has confirmed in writing that he is prepared to accept the contract based on the price submitted in his tender that closed on February 22.

A & A RESTORATIONS INC.

General Contracting & Complete Building Restorations

March 19, 1993

City of Hamilton
Attention: T. Bradley
Manager of Purchasing

Subject: C17-4-93; Removal of pavement markings during
1993/94.

Dear Sir:

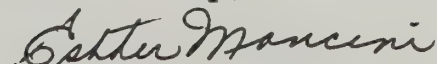
Upon further review of the above estimate we regret that we can not honour our price previously submitted, due to an error on our Estimators' account. The price submitted was \$14.00.

We would be able to do the above job at a revised priced of \$31.75 per square metre. The revised price is the lowest we could possibly do the above job for and still maintain the quality of work that you would expect.

Our price for 1994 would remain at \$31.75. All prices include G.S.T..

We apologize for any inconvenience caused and look forward to doing business with you in the future.

Yours truly,



A & A Restorations Inc.

BF/lm

6.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 24
T119-1108(H), T119-1109(H) & T119-1112(H) C.W. Beitz


REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E.M. Gill, P.Eng.
Senior Director
Roads Department

SUBJECT: CP Rail Overhead Bridges
on Pearl, Poulette and Ray Streets (R-93-26)

RECOMMENDATION:

- a) That the City of Hamilton reconfirm its application to the National Transportation Agency of Canada (NTA) for approval to reconstruct the Poulette Street Overhead Bridge, mileage 38.5, Waterford Subdivision, Canadian Pacific Limited, as a pedestrian bridge; and,
- b) That the cost of reconstruction and future maintenance costs be the responsibility of Canadian Pacific Limited; and,
- c) That in making this application the City is reserving all rights and remedies it may have pursuant to the Minutes of Settlement dated May 1, 1986, between the City and CP Rail and, accordingly, such application is to be considered entirely without prejudice to those rights and remedies and no waiver or acquiescence (express or implied) of those rights and remedies can or will be inferred from the City making this application.



r E.M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The estimate of cost to reconstruct the Poulette Street Bridge in 1993 dollars is \$133,000.

Cont'd...

**CP Rail Overhead Bridges
on Pearl, Poulette and Ray Streets**

Cont'd...

BACKGROUND:

The attached report dated February 21, 1991, outlines the background information regarding the application to the NTA dated October 7th, 1991.

Subsequent to the application, CP Rail questioned the need for retaining the structure. On November 5, 1992, the Transport and Environment Committee requested the Planning and Development Committee to hold a public meeting. The meeting was held Wednesday January 27th, with 70 residents in attendance, as well as Alderman Cooke, Alderman Kiss and City/Region staff.

An informal poll was taken in regard to the future status of the Poulette, Pearl and Ray Street Bridges.

The following was the outcome of that poll:

- 1) Poulette Street
 - Build pedestrian bridge - 60 people in favour
 - Keep as is/or no bridge - 3
- 2) Pearl Street
 - Pedestrian - only bridge - 26 people
 - Pedestrian and vehicles - 20
 - No bridge - 1
- 3) Ray Street
 - Pedestrian-only bridge - 15 people
 - Pedestrians and vehicles - 30

On March 24th 1993, the Planning and Development Committee recommended "That the Transport and Environment Committee be requested to:

- 1) Request the National Transportation Agency (NTA) to reactivate the City of Hamilton's application for funding for the construction a pedestrian bridge to replace the former Poulette Street Bridge, at the expense of CP Rail, based on the public demand for this bridge; and,
- 2) Direct staff of the Roads Department and Public Works Department to review the condition and need for maintenance of the bridges at Pearl and Ray Streets, to ensure that sufficient funds are provided by the appropriate agency or agencies to keep these bridges in good repair for pedestrian use, and notify CP Rail of any deficiencies. It is felt that CP Rail is primarily responsible for keeping these bridges in good repair, since they fall under their jurisdiction."

Cont'd...

**CP Rail Overhead Bridges
on Pearl, Poulette and Ray Streets**

Cont'd...

BACKGROUND: (Cont'd)

Based on the results of the public meeting, it is clear that the residents want the Poulette Street Bridge to be reconstructed as a pedestrian only bridge.

Depending on the outcome of the Poulette Street Bridge application, consideration will be given to the remaining Pearl and Ray Street Bridges to ensure that sufficient funds are provided by the appropriate agency or agencies to keep these bridges in good repair for use by the public. Therefore the NTA should be advised that the City wishes to reconfirm its application dated October 7th 1991.

Flw CWB/md
Attach.

FOR ACTION

REPORT TO

T. AGNELLO, SECRETARY
TRANSPORT AND ENVIRONMENT COMMITTEE

FROM

E.M. GILL, P.ENG.
ACTING COMMISSIONER OF ENGINEERING


DATE: February 21, 1991
DEPT FILE: T119-1109H
COMM FILE: 3-11.2

SUBJECT

Poulette Street Bridge
Canadian Pacific Limited

RECOMMENDATION

- a) That the Acting Commissioner of Engineering be authorized and directed to make an application to the National Transportation Agency of Canada (NTA) for approval to reconstruct the Poulette Street Overhead Bridge, mileage 38.5, Waterford Subdivision, Canadian Pacific Limited, as a pedestrian bridge; and,
- b) That the cost of reconstruction and future maintenance costs be the responsibility of Canadian Pacific Limited.
- c) That, in making this application, the City is reserving all rights and remedies it may have pursuant to the Minutes of Settlement dated May 1st, 1986 between the City and CP and, accordingly, such application is to be considered entirely without prejudice to those rights and remedies and no waiver or acquiescence (express or implied) of those rights and remedies can or will be inferred from the City making this application.



E.M. Gill, P.Eng.
Acting Commissioner of Engineering

FINANCIAL IMPLICATIONS

The estimate of cost to reconstruct the bridge is \$105,000. The City's share based on a 15% contribution would be \$15,750.

Cont'd

Poulette Street Bridge
Canadian Pacific Limited

Cont'd

BACKGROUND

On February 28, 1989, Council in adopting Item 7 of the 5th Report of the Transport and Environment Committee approved the following:

7. That the National Transportation Agency be advised that:

- a) Minutes of Settlement (the Minutes) were entered into between the Corporation of the City of Hamilton (the City) and the Toronto, Hamilton and Buffalo Railway Company (T.H. & B.) and Canadian Pacific Limited (C.P.) on May 1st, 1986 for the purpose of resolving an action commenced by the City against T.H. & B. and C.P. in 1981;
- b) Paragraph 4 of the Minutes required the City to pass a by-law rescinding By-Law no. 755 and waiving any and all breaches of By-law No. 755 by T.H. & B.;
- c) Pursuant to paragraph 4 of the Minutes, the City, on June 25th, 1986, passed By-law 86-194, which rescinded By-law No. 755 and waived any and all breaches of the condition of By-law No. 755 by T.H. & B.;
- d) Notwithstanding paragraph 4 of the Minutes, paragraph 6 of the same Minutes requires, among other things, that:
 - i) the T.H. & B. and C.P. integrate the freight rail service and facilities then being operated by T.H. & B. into the C.P. Rail system and to maintain those freight rail facilities at least as effectively and efficiently after integration,
 - ii) C.P. continue to operate the freight rail service to and within the City of Hamilton and service the industries and businesses established there as effectively and efficiently and with as modern equipment, facilities and freight rail service as it services the industries or businesses of any other city of region of Canada;
- e) The effect of paragraph 6 of the Minutes is to preserve the responsibility of C.P. for the construction, repair or maintenance of the Poulette Street Bridge;

Cont'd

Poulette Street Bridge
Canadian Pacific Limited

Cont'd

- f) The Poulette Street Bridge is a freight rail facility within the meaning of paragraph 6 of the Minutes and, thus, C.P. is obligated to maintain it at least as effectively and efficiently as before;
- g) C.P. is obligated to ensure that rail facilities like the Poulette Street Bridge meet modern standards and satisfy present needs.
- h) The cost of any work associated with the obligation of T.H. & B. and C.P. under paragraph 6 of the Minutes be borne completely by them; and,
- i) Accordingly, C.P. be ordered to reconstruct and maintain, at its own expense, the Poulette Street Bridge.

On March 7th, 1989 the City Solicitor advised NTA of City Council's approval of these recommendations and, further, that these recommendations, along with the Committee Report which contained them, represented the City's written submissions requested by NTA in response to points raised by CP. On April 5th, 1989 CP withdrew its application to NTA for leave to reconstruct the overhead bridge and, at the same time, purported to challenge the jurisdiction of NTA to proceed with any new application. On June 23rd, 1989 NTA advised the parties that it retained jurisdiction to deal with this matter and, in addition, proposed a site meeting involving all the parties.

On June 27th, 1989 the City Law Department advised NTA that, before the City would make a decision on its proposal for a site meeting, it would like to be advised whether NTA had accepted CP's purported withdrawal of its application. On July 7th, 1989 the City Law Department was advised by NTA that it had not accepted CP's purported withdrawal of its application. (Later, the Law Department was orally advised otherwise). On August 25th, 1989, CP advised NTA of its willingness to participate in a site meeting. On November 22nd, 1989, the City Law Department agreed that a site meeting be held.

The site meeting was scheduled for March 22nd, 1990. On March 20th, 1990 the City Law Department was advised by NTA that the site meeting had been postponed indefinitely at the request of CP. On April 5th, 1990 the City Law Department asked NTA what it intended to do next.

On April 20th, 1990 NTA requested CP to advise it whether it would be reactivating its application or submitting a new one. NTA set May 18th, 1989 as the deadline for CP's response. On June 4th, 1990 the City Law Department wrote NTA to find out whether it had been advised by CP on what CP proposed to do.

Cont'd

Poulette Street Bridge
Canadian Pacific Limited

Cont'd

On June 21st, 1990 CP proposed to the City Law Department that staff representatives of the parties meet to have an off-the-record, informal exchange of views with respect to the matter. City staff representatives agreed. The meeting was set for September 12th, 1990.

CP representatives met with City representatives on September 12, 1990. At this meeting CP raised the question of whether a pedestrian bridge is still needed. The Director of Traffic Services, upon a review of pedestrian counts on the Ray, Pearl, Locke and Dundurn Street Bridges over CP, has concluded that a pedestrian bridge should be reconstructed at this location.

The NTA has recently issued "Guidelines on Apportionment of Costs of Grade Separations".

The Guidelines state in part that:

"For a basic grade separation that reconstructs an existing grade separation where both parties have responsibility or where the reconstruction is for the purposes of the party having no responsibility; the costs of construction are normally to be apportioned as follows:

On projects due primarily to railway development 15% Highway Authority and 85% Railway Company.

The costs of maintenance are normally to be apportioned as follows:

- 1) All costs of maintenance of the substructure, superstructure and retaining walls of an overhead bridge are to be paid by the highway authority.
- 2) All other costs of maintenance of an overhead bridge, including the cost of maintaining the railway approaches, track structure, railway drainage and communication facilities are to be paid by the railway company.

Every case will be assessed on its own merits to determine whether the guidelines apply and the NTA retains complete discretion for the apportionment of costs for grade separations. The NTA will issue decisions which vary from the guidelines if appropriate in the circumstances surrounding a particular grade separation project.

As of December 1, 1990, the NTA will be requiring that all applications for new railway line construction or changes to existing railway lines be accompanied by a statement setting out the environmental impact of the proposal.

Cont'd

-Page 5-
February 21, 1991

Poulette Street Bridge
Canadian Pacific Limited

Cont'd

CONCLUSIONS

For the reasons stated previously in the Council resolution dated February 28, 1989, CP should be responsible for the total cost of reconstruction and future maintenance of the Poulette Street Bridge. However, if the NTA recommends a cost sharing formula of 85% Railway, 15% City of Hamilton, we would recommend proceeding on that basis.

Notwithstanding this, should NTA recommend a cost sharing formula, the City reserves the right to reject this recommendation and instead to proceed with a court action based on a breach of the Minutes of Settlement dated May 1st, 1986 between the City and CP.

RPM:ja

cc: E. Loretto, City Solicitor's Department

CITY OF HAMILTON

DATE: 1993 March 31

REPORT TO: Kevin Christenson, Secretary
Transport and Environment Committee

FROM: Tina Agnello, Secretary
Planning and Development Committee

SUBJECT: C.P. RAIL BRIDGES AT POULETTE, RAY AND
PEARL STREETS; KIRKENDALL NORTH
NEIGHBOURHOOD

RECOMMENDATION:

That the Transport and Environment Committee be requested to:

- (a) Request the National Transportation Agency (N.T.A.) to reactivate the City of Hamilton's application for funding for the construction of a pedestrian bridge to replace the former Poulette Street Bridge, at the expense of C.P. Rail, based on the public demand for this bridge; and
- (b) Direct staff of the Roads Department and Public Works Department to review the condition and need for maintenance of the bridges at Pearl and Ray Streets, to ensure that sufficient funds are provided by the appropriate agency or agencies to keep these bridges in good repair for pedestrian use, and notify C.P. Rail of any deficiencies.

Tina Agnello

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

The Planning and Development Committee at its meeting of 1993 March 24, approved a recommendation from the Commissioner of Planning and Development that the above-noted recommendation be forwarded to the Transport and Environment Committee for approval.

The three wooden bridges at Poulette, Ray and Pearl Streets, owned by C.P. Rail, have been closed to vehicular traffic for some time. The Poulette Street bridge was demolished in 1986; and the Pearl and Ray bridges were closed to vehicles in 1968 and 1988, respectively, and are still open to pedestrians.

These bridges have required repeated repairs due to the deterioration of the wooden decks and railings; and have caused safety concerns for the residents in the surrounding neighbourhood. There have also been concerns related to vandalism and loitering in the vicinity of the bridges.

The Poulette Street bridge was demolished in late 1986 due to the failure of several wooden stringers supporting the deck. On October 7, 1991, the City of Hamilton submitted an application to the National Transportation Agency (N.T.A.) for the reconstruction of a wooden pedestrian bridge to replace this bridge, at C.P. Rail's expense. C.P. questioned the need for the bridge, and the N.T.A. requested an environmental impact study.

As a result of ongoing problems with the cost sharing, future maintenance costs and the need for the environmental impact statement, the Poulette Street bridge issue is still under review by the N.T.A.

Several inquiries have been received from the public concerning the status of the bridges. It was recommended that a neighbourhood public meeting be held to discuss the demand and options for the bridges, as removal of the bridges will necessitate an amendment to the Kirkendall North Neighbourhood Plan.

PUBLIC MEETING COMMENTS

The Transport and Environment Committee, at their meeting of November 30, 1992, recommended that the Planning and Development Committee be requested to hold a neighbourhood public meeting "to discuss and review the options regarding the future status of the Pearl, Poulette and Ray Street Bridges over the C.P. Rail." This matter was felt to be a planning issue, in part, due to the impact of the bridges on local neighbourhood land use and character. In addition, the bridges are contained in the approved Kirkendall North neighbourhood plan. All options were to be considered at the public meeting, including the possible removal of one or more of the bridges.

Accordingly, a public meeting was arranged jointly by staff of affected departments, and held on January 27, 1993. Approximately 70 citizens attended this meeting. Written submissions from the public were received during, as well as following the meeting.

The following is a summary of the comments received from the public meeting:

- Almost all citizens present were in favour of the reconstruction of a bridge at Poulette Street, to serve pedestrians walking to/from Main Street and within the neighbourhood;
- There is considerable demand for retention of the existing pedestrian bridges, at Pearl Street and at Ray Street;
- Some residents also favour the reopening of the Pearl and Ray Street bridges to vehicular traffic, as well as pedestrians, although this is a less popular option; and,

- Other related issues in the neighbourhood, such as safety, vandalism and loitering, were felt to be separate issues which should be dealt with independently of the demand for the bridges.

The residents and business people of the area feel that there is a definite need for a pedestrian bridge at Poulette Street. They stated that such a bridge would improve poor accessibility within the neighbourhood which exists due to the railway corridor, which impedes travel especially for school children, seniors, and the disabled.

ANALYSIS:

Staff of the various departments were circulated for comments concerning options for the pedestrian bridges, and had the following comments:

- Public Works - Had no objections to the removal of the bridges;
- Traffic Department - Would support maintaining the Ray Street bridge for pedestrian traffic only;
- Fire and Police Departments - Had no objections to possible removal of bridges; and,
- Planning Department - Felt that public input important in determining need for bridges, including their role in providing accessibility in the neighbourhood.

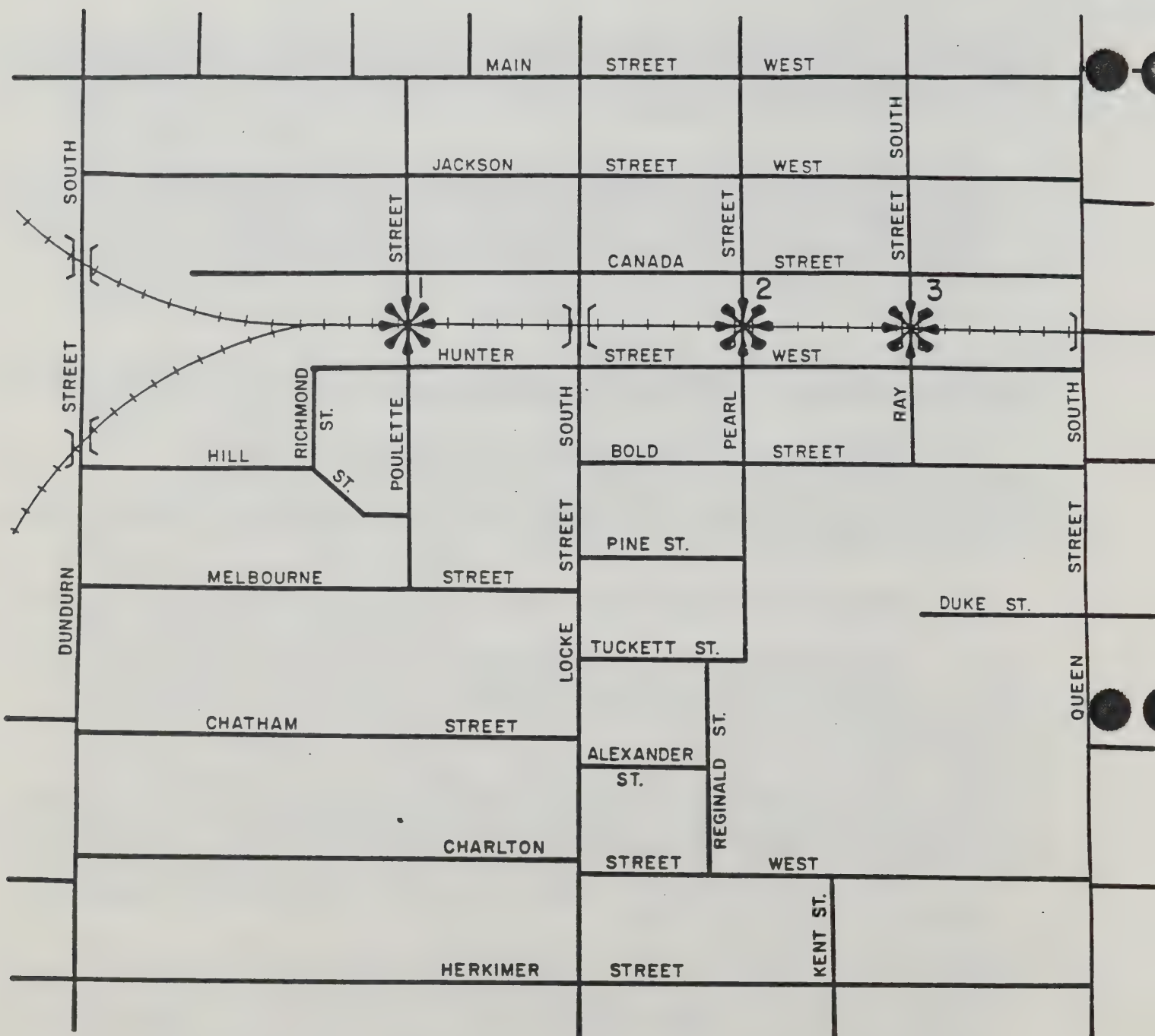
CONCLUSIONS:

Based on the comments received from the public meeting, there appears to be considerable demand for the reconstruction of the Poulette Street bridge, to improve accessibility across the C.P. Rail corridor. Therefore, it is felt that the Poulette Street bridge should be rebuilt. The N.T.A. should be requested to reconsider the City's application for funding, based on the public demand for the bridge.

There is also considerable demand for retention of the pedestrian bridges at Pearl and Ray Streets, with Pearl Street generating slightly higher demand. The condition and need for maintenance of these bridges should be reviewed, to ensure that sufficient funds are provided by the appropriate agency or agencies to keep these bridges in good repair. It is felt that C.P. Rail is responsible for keeping these bridges in good repair, since they fall under their jurisdiction.

Further public input should be obtained prior to finalizing the design of the Poulette Street bridge, and if any other changes in the status of the bridges are anticipated. If any of the bridges are removed, an amendment to the approved Kirkendall North neighbourhood plan would be needed.

cc: Victor Abraham, Director of Local Planning



C.P. RAILWAY BRIDGES/CROSSINGS:

- 1 POULETTE ST. - Demolished 1986
- 2 PEARL ST. - Closed to vehicles in 1968; open to pedestrians
- 3 RAY ST. - Closed to vehicles in 1988; open to pedestrians.

7.

OFFICE OF THE CITY CLERK

MEMORANDUM

TO: Kevin Christenson, Secretary
Transport & Environment Committee

RECEIVED

MAR 16 1993

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

OUR FILE: _____
PHONE: CITY CLERKS

SUBJECT: Windermere Basin Rehabilitation
Project Status Update

DATE: 1993 March 15

Further to our recent discussion, this will confirm that the above noted matter, which was placed before the Finance and Administration Committee at its 1993 March 4th meeting, has been referred by them to the Transport and Environment Committee for consideration.

Attached herewith, for the consideration of the Transport and Environment Committee is an Information Report from the Chief Administrative Officer dated 1993 February 2nd, as well as correspondence from the Port Director of The Hamilton Harbour Commissioners dated 1993 February 22nd.

Susan K. Reeder

SKR/dbm

Attachments.

- c.c. - Alderman D. Ross, Chairperson, Finance and Administration Committee
- Alderman H. Merling, Chairperson, Transport and Environment Committee
- J. Pavelka, Chief Administrative Officer
- P. Noé Johnson, City Solicitor
- A. Ross, Treasurer
- A. Georgieff, Director, Regional Planning Division
- E. M. Gill, Senior Director of Roads, Transportation Services Department
- Deborah A. Edwards, Assistant Corporate Counsel, Regional Legal Services Department

CITY OF HAMILTON**- INFORMATION -****DISTRIBUTED FOR INFORMATION
TO MEMBERS OF FINANCE AND
ADMINISTRATION COMMITTEE
CAO****DATE:** 1993 February 2**REPORT TO:** Chairman and Members
Finance and Administration Committee

1993 Feb. 2

DATE**SIGNATURE****FROM:** J.G. Pavelka, P. Eng.
Chief Administrative Officer**SUBJECT:** Windermere Basin Rehabilitation Project Status Update**BACKGROUND:**

Council, at its meeting of April 5, 1988, approved the funding agreement for the Windermere Basin Rehabilitation Project.

The cost of the project was to be funded as follows:

Region	(16.7%)	\$750,000
City of Hamilton	(16.7%)	\$750,000
Public Works Canada	(27.8%)	\$1,250,000
Province of Ontario	(27.8%)	\$1,250,000
The Hamilton Harbour Commissioners	(11%)	\$500,000
Total		<u>\$4,500,000</u>

As a result of increases in construction costs (\$731,803.23) the funding partners were requested to provide additional funding to complete the project. A request addressed to staff for additional funding from the City and Region, dated January 12, 1990 from the Hamilton Harbour Commissioners was received.

The requested cost share breakdown was as follows:

Partners	Original Contribution	Increased Costs	Revised Request
Region	\$750,000	\$106,638.21	\$856,638.21
City of Hamilton	\$750,000	\$106,638.21	\$856,638.21
Public Works Canada	\$1,250,000	\$177,730.34	\$1,427,730.34
Province of Ontario	\$1,250,000	\$177,730.34	\$1,427,730.34
Hamilton Harbour Commissioners	\$500,000	\$163,066.13	\$663,066.13
Total	<u>\$4,500,000</u>	<u>\$731,803.23</u>	<u>\$5,231,803.20</u>

Windermere Basin Rehabilitation Project Status

On February 19, 1990 Public Works Canada cancelled the remainder of the contract with S. McNally and Sons Limited.

The Transport and Environment Committee considered a staff report recommending payment of a share on March 5, 1990, but tabled the request until the question of land use of the additional property was addressed. The Region also tabled the request for additional funding.

Subsequently, at its meeting of August 20, 1990, Council approved additional funding in the amount of \$106,675.10 provided that the following conditions were met:

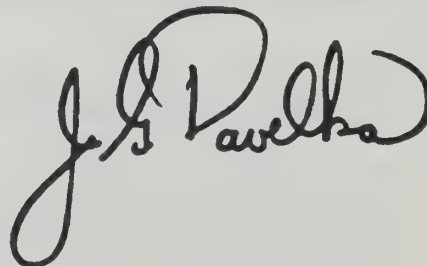
- a) That the Hamilton Harbour Commissioners administer the funds pursuant to the Windermere Basin Trust Agreement dated the 26th day of May 1988;
- b) That the Hamilton Harbour Commissioners and the Region/City agree on a process for land use determination of Hamilton Harbour;
- c) That the Hamilton Harbour Commissioners transfer the Region/City a minimum of 5% of land in the Windermere Basin for parkland dedication (or equivalent satisfactory to the Region/City recognizing development and maintenance and further landscaping plans set out in the Windermere Basin Reclamation Project plans), for parkland or gateway/aesthetic purposes PROVIDED that the interest determined is concurred with by the other funding partners, thereby supporting the intent of the original Funding Agreement.
- d) That the Hamilton Harbour Commissioners agree to report regularly to the Region/City on the clean up of Windermere Basin.

The Hamilton Harbour Commission responded with a letter dated September 17, 1990, informing the City that additional funding from the City was no longer required.

As a result of Public Works Canada terminating S. McNally & Sons Limited contract, a claim for Breach of Contract was submitted by S. McNally & Sons Limited in the amount of \$400,000. This claim also included costs for other items under dispute between McNally and Public Works Canada.

Public Works Canada and their consulting engineer, Mar-Land Engineering Limited, have negotiated a settlement of the Breach of Contract Claim with McNally in the amount of \$225,000. As the Region and the City of Hamilton were neither parties to the action nor involved in the negotiations, staff are not in a position to comment on the proposed settlement. The City Law Department has previously advised Council that under the terms and conditions of the funding agreement, the City of Hamilton is not obligated to share in any increased costs.

The City of Hamilton and the Region are being asked to contribute to the costs of settling McNally's claim, and at a meeting held September 11, 1992, several proposals were presented to staff. It appears that this most recent proposal is for the City to contribute a total of \$94,943.26 toward the cost of the original contract and settlement of claim with McNally. Alternately, it appears that the Federal and Provincial Governments and the Harbour Commission may be prepared to initiate a lawsuit against the City and Region.

A handwritten signature in black ink, appearing to read "J. S. Pavelka". The signature is fluid and cursive, with a large loop at the end.

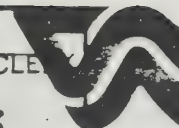
c.c. Allan C. Ross, Treasurer
P. Noé Johnson, City Solicitor
V.J. Abraham, M.C.I.P., Director, Regional Planning Division
E. M. Gill, Senior Director of Roads

605 James St. N.
Hamilton, Ontario, Canada
.L8L 1K1

Hamilton 525-4330
Toronto 1-800-263-2131
Telex 061-8638

Fax Numbers
Administration 528-6282
Terminal 525-7258

OFFICE OF THE CITY CLERK



The Hamilton
Harbour
Commissioners

MAR 02 1993

February 22, 1993

REC. BY *AS* DATE

F.D. TO DATE

F.D. TO *S.K.R.* DATE

REC'D. TO DATE

ACTION: C.C. CAO/TREASURER

REG. CLERK./REG. ENGINEER.

The Corporation of the
City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

ATTENTION: **MR. JOSEPH SCHATZ**
CITY CLERK

SUBJECT: **FINAL REPORT - WINDERMERE BASIN REHABILITATION**
PROJECT - WRITTEN ON BEHALF OF WINDERMERE BASIN
FUNDING PARTNERS

Dear Sir:

Reference is made to the above project which was a cooperative effort by four levels of Government and The Hamilton Harbour Commissioners to clean up Windermere Basin in the east Harbour. The project was funded through a special five-party funding agreement of which each party contributed a specific portion of the funds required to complete the project.

Due to cost overruns, the funds generated by this agreement were insufficient to complete the scope of the project and this agreement expired on March 31, 1990 with the project remaining incomplete and the trust established to finance the project in a deficit position.

Subsequently The Commissioners, the Province and the Federal Government contributed \$523,000.00 in additional funding to advance the project as originally envisioned. In addition, The Board of Commissioners have also undertaken to complete certain portions of the project on its own and at its expense. The Commissioners have invested \$190,000.00 in capping the contaminated sediment and landscaping which is estimated to be completed by 1998. We are not seeking contributions towards these two amounts.

However, there remains one outstanding issue.

In October 1990, S. McNally & Sons, the main contractor for the project, launched a lawsuit against Public Works Canada, the agent for the original Five Funding Partners, claiming Breach of Contract and sought damages in the amount of \$400,000.00. This was the result of a contractual dispute over pay quantities, lost overhead and delay claims with Public Works Canada.

An out of court settlement was reached between Public Works Canada and S. McNally & Sons on July 3, 1992 in the amount of \$225,000.00 with additional expenses for staff time in the amount of \$35,091.04, totalling \$260,091.04. Although no Funding Partner was party to the negotiations of the settlement, The Commissioners, the Provincial and Federal Agencies accept the settlement solely to avoid further long and costly litigative procedures.

To date, the settlement and expenses related thereto remains outstanding. On behalf of the Funding Partners, of which The Commissioners are but one, we seek participation by the City and Region to cost-share this amount as follows:

Agency	Original Trust Fund Share	Contribution to Date	Additional Contribution	Final Proportion
Government of Canada	27.8%	\$1,359,570.18	\$28,870.20	27.4%
Province of Ontario	27.8%	\$1,357,362.01	\$28,870.19	27.3%
Region of of Ham.-Went.	16.7%	\$ 750,000.00	\$94,943.27	16.7%
City of Hamilton	16.7%	\$ 750,000.00	\$94,943.26	16.7%
Hamilton Harbour Commissioners	<u>11.0%</u>	<u>\$ 592,636.32</u>	<u>\$12,464.13</u>	<u>11.9%</u>
TOTAL	100%	\$4,809,568.51	\$260,091.04	100%

The additional contribution set forth above will bring the City and Region's contribution towards the project to their full proportionate share as set out in our original funding agreement.

We therefore respectfully request both Regional and City Council to give consideration to contributing \$94,943.26 each towards this outstanding amount. Upon receipt of these funds, it will then be possible to wind up the Windermere Basin Rehabilitation Project Trust Fund.

All other parties have made commitments to the above cost-sharing proposal.

Yours truly,

THE HAMILTON HARBOUR COMMISSIONERS

72A
R.R. HENNESSY, P. ENG.,
PORT DIRECTOR

RAE:jg
WP H:\UG\RAE\RAE.436

605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Hamilton 525-4330
Toronto 1-800-263-2131
Telex 061-8638

Fax Numbers
Administration 528-6282
Terminal 525-7258



September 17, 1990

Mayor Robert M. Morrow
Corporation of the City
of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mayor Morrow:

Re: Windermere Basin Cleanup Project

Members of the Hamilton Harbour Commissioners are pleased to advise that as a result of a meeting on September 12, 1990, with representatives from the Province of Ontario and the Federal Government (our other funding partners to the Windermere project), we are now in a position to go forward with the construction. The Commissioners, Province and the Federal Government have unconditionally committed their proportionate share of the funds needed for the final phase. The original five-party funding agreement has now by necessity expired.

We intend to immediately call tenders and get on with the work. We have sufficient funds to ensure that construction to date is protected and to move through to the final stages of the project, save for capping off and for landscaping.

This eliminates any perceived pressure which you might be under to provide additional funds. We recognize that there would be time delays in obtaining Ontario Municipal Board approval, etc.

In reply to the City's and Region's resolutions with regard to conditions precedent to funding, the Commissioners met on September 6 to review same.

We are more than pleased to continue to monitor the funds and manage the project, reporting back to all of the funding partners on a quarter yearly basis, as we have in the past.

We look forward to working with your planning staff to receive and discuss fully their views on the site specific land use for this property. As the lands will be in a settlement and consolidation stage for a substantial period of time, we will all have ample time to consider all of the ramifications related to achieving the highest and best use for the property. We are also in agreement that the final use for the lands be attractive and eye pleasing.

. . . /2

September 17, 1990

Re: Windermere Basin Cleanup Project

The Commissioners believe that to designate lands for a park in this location, at this time, would be premature and that the decision should only be made after appropriate studies by our two groups have been completed.

We are certainly committed to achieving the optimum amount of appropriate open space and landscaping, as is practical and economically feasible.

We recognize that this letter might not be the more definitive reply to your resolution which you desire, however, we believe it does speak to the issues which you have raised, both verbally and in the resolution. The Commissioners would like to continue to work with the City while at the same time developing the degree of trust needed to ensure the maximum results from any joint endeavour which may be undertaken now or in the future.

The Commissioners respect fully the City's responsibility in its role to protect the general interests of the populace of Hamilton. We would only hope that members of City Council develop a degree of understanding, comprehension and respect for the responsibilities which the Commissioner's assume on behalf of a major segment of industry, commerce and the general public in this City and in the National interest.

Respectfully submitted,

Yours very truly,

HAMILTON HARBOUR COMMISSIONERS



PETER G. LUSH
CHAIRMAN

PGL:aa

cc: Distribution as attached.



CITY COUNCIL
HAMILTON, CANADA

Alderman
Chairman,

8

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 521-1087 - WARD 1

March 2, 1993

RECEIVED

MAR 04 1993

Mr. Kevin Christensen, Secretary
Transport & Environment Committee

CITY CLERKS

RE: *Martin-Stewart Contracting Limited - Ronald McDonald House
Main Street West - Estimate from Public Works - Curb Installation*

Dear Mr. Christensen:

Enclosed is a copy of an estimate from the Department of Public Works for a curb installation for Ronald McDonald House on Main Street West. I would very much appreciate this matter being placed on the agenda for the next meeting of the Transport and Environment Committee.

It is my intention to ask the Committee members to consider donating the cost of the installation of the approach to Ronald McDonald House.

Yours very truly,

Terry Cooke
Alderman, Ward 1

/ck
Encl.



THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4 546-2785

DEPARTMENT OF PUBLIC WORKS

NAME MARTIN STUART CONST. DATE JUNE 8 / 92
MAILING ADDRESS 126 CATHARINE ST. S.

Dear Sir/Madam:

Further to your request regarding construction of a concrete approach or extension at
1510 MAIN ST. WEST, I wish to advise that your
portion of the cost to do this work is \$ 735.00

G.S.T. 51.45

TOTAL 786.45

Your cheque, made payable to the City Treasurer, together with this notice, is to be mailed to the Department of Public Works, City Hall, Hamilton, Ontario L8N 3T4. We will proceed with the work after full payment is received.

NOTE

A DRIVEWAY MUST BE ESTABLISHED (STONED OR
PAVED) BEFORE ANY WORK CAN COMMENCE.

ADDITIONAL FOREMAN'S COMMENTS THE ABOVE COST IS FOR THE
INSTALLATION OF A 3.2 METRE EXTENSION ON THE
EXISTING 7.8 METRE BLVD. APPROACH. TOTAL
LENGTH OF 11 METRES.

Foreman's Signature A. Taylor

To be made out in triplicate

Original - Homeowner
1 copy - Foreman
1 copy - Office

Check if Approved by Traffic

April, 1991
/jdh

C
OFM

M

URBAN/MUNICIPAL

CA40N HBL A05
CS1T6
1993

Judith McAnanama
Chief Executive Officer
Hamilton Public Library



1993 April 29

NOTICE OF MEETING

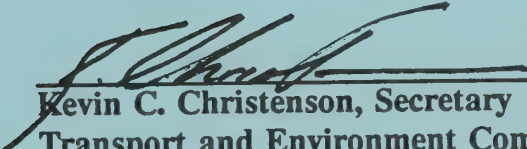
TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, 1993 May 3
9:30 o'clock a.m.
Room 233, City Hall

URBAN MUNICI

MAY 04 1993

GOVERNMENT DOCUMENTS


Kevin C. Christenson, Secretary
Transport and Environment Committee

AGENDA

URBAN MUNICI

APR 22 1993

GOVERNMENT DOCUMENTS

1. DELEGATIONS (9:30 o'clock a.m.)
 - (a) Snow Clearing Charges
Genco Limited - Ms. T. Cholowsky
 - (b) Intersection Control/Corner Clearance
Intersection of Goulding Avenue and
San Pedro Drive - Alderman F. D'Amico

2. CONSENT AGENDA

3. DIRECTOR OF PUBLIC WORKS

1993 Snow Budget - Revised Deficit Estimate

4. CANADIAN UNION OF PUBLIC EMPLOYEES - LOCAL 5

Roadway Spills Clean-up

5. CITY CLERK

(a) Council Correspondence Amendments to
Hamilton Harbour Cargo Rates Tariff PC. 1990-1592

(b) Council Correspondence
Hamilton Harbour Commissioners Windermere Basin
Rehabilitation Project

6. ALDERMAN V. J. AGRO

Intersection of Duke Street and Hess Street South

7. NEW BUSINESS

8. ADJOURNMENT

Transport and Environment Committee Outstanding Items

	Items	Original Date	Action	Status
1.	Criteria and report of School Crossing Guards	1992 January 6	Director of Traffic Services	Comprehensive Report Pending
2.	Part-time Turn Prohibition James Mountain Road to Markland Street	1992 February 3	Director of Traffic Services	Report Pending Public Meeting
3.	Intersection of Flatt Avenue and Glenside Avenue	1992 August 17	Ald. M. Kiss	Tabled
4.	Intersection of Franklin Avenue and Longwood Road North	1992 August 17	Ald. M. Kiss	Tabled
5.	Reserved Parking for Physically Disabled	1992 Nov. 2	C.A.O.	Prepare Report
6.	Downsizing Sanitation Crews from Three Men to Two Men	1993 March 1	C.A.O. Director of Public Works Commissioner of Human Resources	Prepare Feasibility Study
7.	Merging Fleet Services Function	1993 March 1	C.A.O. Director of Public Works	Prepare Report on Organizational Structure
8.	1 Hunter Street Disabled Parking	1993 April 5	Director of Traffic Services	Prepare Report

Kevin C. Christenson, Secretary
1993 April 29

1(a)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 13

REPORT TO: Mr. K. Christenson
Secretary, Transport and Environment Committee

FROM: Mr. D. Lobo
Director of Public Works

SUBJECT: Snow Clearing Charges
- South East Corner of King William and Ferguson (93.0320.00)

RECOMMENDATION:

- (a) That the appeal by Ms. Cholowsky on behalf of Genco Ltd. for snow removal charges totalling \$1,181.25 at the south-east corner of King William and Ferguson Avenue be denied.



D. LOBO, DIRECTOR OF PUBLIC WORKS

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

If the charges are not assessed, the General Tax Levy will be burdened by the \$1,181.25 not collected and potentially as well by the \$95,152.26 in snow clearing costs assessed to the other 314 properties where charges were assessed.

BACKGROUND:

Ms. Cholowsky has requested that this matter be forwarded to the Transport and Environment Committee for resolution.

In response to Ms. Cholowsky's concerns, staff checked and confirmed:

1. that the Public Works Department received a complaint with respect to the sidewalks not being cleared on the south-east corner of King William and Ferguson Avenue.
2. that upon investigating on January 20, 1993, March 4, 1993 and March 9, 1993, staff found that the sidewalk at this location had not been cleared.

3. that prior to the work being done, the crew took a polaroid picture of the sidewalk with snow on it, confirming that the sidewalk had not been cleared. Attached are copies of the pictures taken at the south-east corner of King William and Ferguson Avenue.
4. that the work had been charged to the property taxes in accordance with Council's resolution at \$3.50 per square metre.

75 square metres X \$3.50 = \$393.75 for each of the charges

January 20, 1993 -	\$ 393.75
March 4, 1993 -	\$ 393.75
March 9, 1993 -	<u>\$ 393.75</u>

TOTAL -	\$1,181.25
---------	------------

The attached "Snow Clearing Charges Assessed" notices were each mailed separately to Ms. Cholowsky subsequent to the snow being removed.

According to the information available to staff, staff adhered to the policy passed by City Council, cleared the snow from the sidewalk and charged \$3.50 per square metre, therefore staff are not in a position to rescind the snow clearing charge.

/jdh
Attach.



Manufacturers, Importers and Distributors—Hardware and Houseware Specialties

GENCO LIMITED

RECEIVED

~~XXXXXX AVENUE NORTH, HAMILTON, ONTARIO, CANADA X8Y 1X9~~ CABLE ADDRESS: GENHOWCO, TELEPHONE ~~(416) 522-1616~~

Post Office Box 61553

Fennell Stn., Hamilton, Ont. L8T 5A1

CITY CLERKS

Mr. Kevin Christenson
c/o (Sec) Transport & Environment Committee
City Hall,
Hamilton, Ont.
L8N 3T4

Mar. 18, 1993

RE: Snow cleaning Jan. 20, Mar. 4 & 9, 1993
for a total of \$1,181.25

Dear Sir,

Referring to the above snow cleaning charges, please be informed that we are asking for a committee hearing in order to review the above charges and to be able to properly present our case and make an appeal.

We understand that the April hearing is already booked, therefore kindly put us down on the list for May 3rd, Monday, 1993 hearing.

Thanking you in advance and looking forward to your confirmation,

yours truly,

GENCO LIMITED

per: Tania Cholowsky

c.c. to
Mr. Doug Lobo, B.Sc.





THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

SNOW CLEARING CHARGES ASSESSED

VACANT LOTS



Don't be slow...
clear your snow

DATE JAN 20 - 93

TIME 10³⁰ A.M

ADDRESS S/E CORNER KING WILLIAM T
FERGUSON

ON JAN 20 - 93 IN COMPLIANCE WITH STREETS
BY-LAW NO. 9329, SECTION 7, IT WAS NECESSARY FOR THE
CITY TO ARRANGE TO CLEAR THE SNOW FROM THE SIDEWALKS
ABUTTING THIS PROPERTY.

THIS NOTICE IS TO ADVISE YOU THAT THE COSTS INCURRED
WILL BE CHARGED TO YOUR PROPERTY TAXES.

75 X 1.5 x \$3.50 per square metre = \$ 393.75

FOR INQUIRIES PLEASE CALL 546-2785

02-01810-5950

owner: Denco Limited

P.O. Box 61553 Fenwick Stn

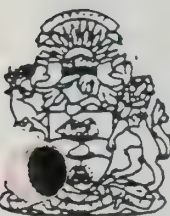
Hamilton, Ontario

L8T 5A1

AB
DEPARTMENT OF PUBLIC WORKS
REPRESENTATIVE

COMPLETE IN TRIPLICATE

- 1 - Property Owner
- 1 - District Copy
- 1 - Office Copy



THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

SNOW CLEARING CHARGES ASSESSED

VACANT LOTS



Don't be slow...
clear your snow

DATE MARCH 4-93

TIME 3:20 P.M.

ADDRESS S/E CORNER KING WILLIAM + FERGUSON

ON MARCH 4-93 IN COMPLIANCE WITH STREETS
BY-LAW NO. 9329, SECTION 7, IT WAS NECESSARY FOR THE
CITY TO ARRANGE TO CLEAR THE SNOW FROM THE SIDEWALKS
ABUTTING THIS PROPERTY.

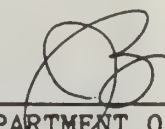
THIS NOTICE IS TO ADVISE YOU THAT THE COSTS INCURRED
WILL BE CHARGED TO YOUR PROPERTY TAXES.

75 x 1.5 x \$3.50 per square metre = \$ 393.75

09-61210-5950

FOR INQUIRIES PLEASE CALL 546-2785

Dence Ltd
P.O. Box 61553 Fernhill Stn.
Hamilton, Ont.
L8T 5A1


DEPARTMENT OF PUBLIC WORKS
REPRESENTATIVE

COMPLETE IN TRIPLICATE

- 1 - Property Owner
- 1 - District Copy
- 1 - Office Copy



THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

SNOW CLEARING CHARGES ASSESSED

VACANT LOTS



Don't be slow...
clear your snow

DATE MARCH 9 - 93

TIME 10³⁰ AM

ADDRESS S/E CORNER KINGWILLIAM + FERGUSON

ON MARCH 9 93 IN COMPLIANCE WITH STREETS
BY-LAW NO. 9329, SECTION 7, IT WAS NECESSARY FOR THE
CITY TO ARRANGE TO CLEAR THE SNOW FROM THE SIDEWALKS
ABUTTING THIS PROPERTY.

THIS NOTICE IS TO ADVISE YOU THAT THE COSTS INCURRED
WILL BE CHARGED TO YOUR PROPERTY TAXES.

75 x 1.5 x \$3.50 per square metre = \$ 393.75

52-01810-5950

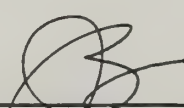
FOR INQUIRIES PLEASE CALL 546-2785

2000 Jones Limited

P.O. Box 61553 Fernhill Stn

Hamilton, Ont.

L8T 5A1


DEPARTMENT OF PUBLIC WORKS
REPRESENTATIVE

COMPLETE IN TRIPLICATE

- 1 - Property Owner
- 1 - District Copy
- 1 - Office Copy



S/E CORNER KING WILLIAM
+ FERGUSON

East side of
Ferguson.

JANUARY 20-93



MARCH 4-93

3:20 PM

S/E CORN.

KING WILLIAM
+
FERGUSON

200' side
of building



MARCH 9-93

S/E CORNER
KING WILLIAM

1 (b)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 December 16

REPORT TO: Kevin Christenson
Secretary, Transport and Environment Committee

FROM: Murray F. Main, P. Eng.
Director of Traffic Services

RECEIVED

JAN 28 1993

SUBJECT:

CITY CLERKS

Intersection of Goulding Avenue and San Pedro Drive - Intersection Control/Corner Clearance. [TEC-273-92]

RECOMMENDATION:

- a) That a "No Stopping" regulation be implemented on the west side of Goulding Avenue commencing at San Pedro Drive and extending to a point 73 feet northerly therefrom; and
- b) That no action be taken on the request for all-way stop control at the intersection of Goulding Avenue and San Pedro Drive; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

Murray F. Main

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

BACKGROUND:

Alderman Don Ross and Alderman Frank D'Amico have submitted a petition signed by several area residents requesting that four-way stop control be implemented at the intersection of Goulding Avenue and San Pedro Drive.

The subject intersection is a four-leg intersection, and presently, eastbound and westbound traffic on San Pedro Drive is required to stop for northbound and southbound traffic on San Diego Court/Goulding Avenue. Traffic Department records indicate that there has been only one reported collision at this intersection in the past seven years. This is a good collision record for this type of intersection.

The Traffic Department has assessed this request, and has its usual concerns respecting unwarranted four-way stop control, including the fact that there is no collision problem at this intersection, unnecessary stop signs have extremely harmful environmental affects, stop signs have no effect on the speed and volume of traffic and unwarranted stops signs create disrespect by the motorists to the extent that the observation of stop signs is deteriorating every year.

For the above-noted reasons, the Traffic Department does not support the request for four-way stop control at the intersection of San Pedro Drive and San Diego Court/Goulding Avenue.

Notwithstanding, an investigation has revealed that the stop signs are well located and readily visible. However, visibility at the intersection is obstructed to some degree by parked vehicles on the west side of Goulding Avenue, north of San Pedro Drive. Therefore, the Traffic Department recommends that a corner clearance be implemented on the west side of Goulding Avenue, north of San Pedro Drive.

^{1/11/11}
CVB/ca



CONSENT AGENDA

Transport and Environment Committee
Monday, 1993 May 3
9:30 o'clock a.m.
Room 233, City Hall

AGENDA

URBAN MUNICIPAL

MAY 04 1993

GOVERNMENT DOCUMENTS

A. ADOPTION OF THE MINUTES

- i. Minutes of the Meeting held 1993 April 5
- ii. Minutes of the Special Meeting held 1993 April 6

B. DIRECTOR OF TRAFFIC SERVICES

i. Parking Regulations

- (a) East Side of Locke Street North between Napier Street and Peter Street (TEC-78-93)
- (b) Kinnell Street (TEC-77-93)
- (c) London Street South between King Street East and Central Avenue (TEC-71-93)
- (d) Acadia Drive (TEC-96-93)
- (e) Emming Court (TEC-92-93)
- (f) West Side of Harmony Avenue between Harrison and Vansitmart Avenues (TEC-86-93)
- (g) Purnell Drive between Clifton Downs Road and Bentley Place

ii. Permit Parking for Disabled

- (a) No. 337 Herkimer Street - Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident (TEC-91-93)
- (b) No. 182 Weir Street North - Request for a Reserved "Permit Parking" Space for a Disabled Resident (TEC-83-93)
- (c) No. 162 London Street South - Request for a Reserved "Permit Parking" Space for a Disabled Resident (TEC-82-93)

iii. School Crossing Guards

- (a) Relocation of the School Crossing Guard from Cumberland Avenue and Sherman Avenue to Cumberland Avenue and Norway Avenue (TEC-73-93)
- (b) Barton Street East and Nash Road (TEC-60-93)

iv. **Wheelchair Loading Zone**

No. 39 Cheever Street (TEC-66-93)

v. **Driveway Clearance**

No. 60 Ewen Road (TEC-85-93)

vi. **Corner Clearance**

Intersection of Edgewood Avenue and High Street (TEC-80-93)

vii. **New Bus Stop**

Burlington Route - New Bus Stop on Glow Avenue (TEC-76-93)

viii. **Parking Meters**

East Side of Huxley Avenue North, North of Main Street East (TEC-48-93)

C. **COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES**

i. **Boy Scout/Girl Guide Parade, 1993 May 29**

ii. **1993 Servicing Expenditures Related to Subdivisions**

iii. **Incorporating Certain City Lands into Various Streets By-law**

iv. **Amending By-law No. 92-152 (Fieldway Drive)**

D. **DIRECTOR OF PUBLIC WORKS**

i. **Bay Street North Road Closure**

ii. **Proposed Construction of Concrete Sidewalks on the West Side
of Upper Wellington Street from Bryna Avenue to the North
Limits of the East-West Freeway**

iii. **Proposed Construction of a Finished Roadway on Acadia Drive
Approximately 50 m South of Butler Drive to Approximately 200 m Southerly**

F. **SECRETARY, TRANSPORT AND ENVIRONMENT COMMITTEE**

Information Reports

2(A)(i)

Monday, 1993 April 5
9:30 o'clock a.m.
Room 233, City Hall

The Transport and Environment Committee met.

Present: Alderman H. Merling, Chairman
Alderman V. J. Agro, Vice-Chairman
Alderman M. Kiss
Alderman B. Morelli
Alderman D. Wilson
Alderman F. Eisenberger
Alderman T. Jackson
Alderman F. D'Amico

Absent: Mayor R. M. Morrow, City Business

Also present: Alderman T. Cooke
Alderman G. Copps
Alderman D. Ross
Ms. B. Price, Hamilton Safety Council
Mr. J. G. Pavelka, Chief Administrative Officer
Ms. P. Noé Johnson, City Solicitor
Mr. D. Powers, Law Department
Mr. D. Lobo, Director of Public Works
Mr. R. Meiers, Department of Public Works
Mr. C. Firth-Eagland, Department of Public Works
Mr. M. Main, Director of Traffic Services
Mr. M. Hazell, Traffic Department
Mr. T. Gill, Senior Director, Roads Department
Mr. G. Aston, Roads Department
Mr. T. Bradley, Manager of Purchasing
Mr. J. R. Lees
Mr. E. Feher
Mr. and Mrs. Kitar
Mr. K. C. Christenson, Secretary

1. CONSENT AGENDA

A. ADOPTION OF THE MINUTES

The minutes of the meeting held 1993 March 1 were adopted as circulated.

B. DIRECTOR OF TRAFFIC SERVICES**i. Parking Meters****West Side of Kensington Avenue North, north of Main Street East**

The Committee was in receipt of a report dated 1993 March 15 from the Director of Traffic Services respecting the west side of Kensington Avenue North, north of Main Street East.

The Committee approved the following recommendation:

- (a) That the existing "One Hour Metered Parking" regulation on the west side of Kensington Avenue North commencing at Main Street East and extending to a point 116 feet northerly therefrom be replaced with a "Two Hour Metered Parking" regulation; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

ii. Reserved Parking Permits for Disabled Residents**(a) No. 31 Devonport Street**

The Committee was in receipt of a report dated 1993 March 15 from the Director of Traffic Services respecting No. 31 Devonport Street.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the west side of Devonport Street commencing at a point 128 feet south of York Boulevard and extending to a point 17 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Owczarek, No. 31 Devonport Street; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

(b) No. 17 Garfield Avenue North

The Committee was in receipt of a report dated 1993 March 15 from the Director of Traffic Services respecting No. 17 Garfield Avenue North.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the west side of Garfield Avenue North commencing at a point 205 feet north of King Street East and extending to a point 20 feet northerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Giovanni Bartolomeo, No. 17 Garfield Avenue North; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

(c) **No. 152 Locke Street North**

The Committee was in receipt of a report dated 1993 March 15 from the Director of Traffic Services respecting No. 152 Locke Street North.

The Committee approved the following recommendation:

- (a) That a "Permit Parking" regulation be implemented on the east side of Locke Street North commencing at a point 103 feet north of York Boulevard and extending to a point 19 feet northerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Jennifer Wootten, No. 152 Locke Street North, and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

iii. **Wheelchair Loading Zones**

(a) **No. 25 Glamis Court**

The Committee was in receipt of a report dated 1993 March 11 from the Director of Traffic Services respecting No. 25 Glamis Court.

The Committee approved the following recommendation:

- (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 6:00 p.m., 7 days a week" regulation be implemented on the east side of Glamis Court commencing at a point 233 feet south of Gemini Drive and extending to a point 22 feet southerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(b) **No. 200 Jackson Street West**

The Committee was in receipt of a report dated 1993 March 15 from the Director of Traffic Services respecting No. 200 Jackson Street West.

The Committee approved the following recommendation:

- (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Jackson Street West commencing at a point 94 feet east of Hess Street South and extending to a point 30 feet easterly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(c) **No. 59 Wood Street West**

The Committee was in receipt of a report dated 1993 March 16 from the Director of Traffic Services respecting No. 59 Wood Street West.

The Committee approved the following recommendation:

- (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 11:00 p.m., 7 days a week" regulation be implemented on the west side of Wood Street West commencing at a point 100 feet south of Burlington Street West and extending to a point 25 feet southerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(d) **No. 18 Barons Street**

The Committee was in receipt of a report dated 1993 March 16 from the Director of Traffic Services respecting No. 18 Barons Avenue North.

The Committee approved the following recommendation:

- (a) That a "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Barons Avenue North commencing at a point 190 feet north of Main Street East and extending to a point 18 feet northerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

iv. **Corner Clearances**

(a) **Intersection of Queen Victoria Drive and Quinn Avenue**

The Committee was in receipt of a report dated 1993 March 15 from the Director of Traffic Services respecting the intersection of Queen Victoria Drive and Quinn Avenue.

The Committee approved the following recommendation:

- (a) That a "No Parking" regulation be implemented on the east side of Quinn Avenue, commencing at Queen Victoria Drive and extending to a point 119 feet southerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(b) **Intersection of David Avenue and Fennell Avenue East**

The Committee was in receipt of a report dated 1993 February 11 from the Director of Traffic Services respecting the intersection of David Avenue and Fennell Avenue East.

The Committee approved the following recommendation:

- (a) That the existing "No Stopping" regulation on the east side of David Avenue commencing at Fennell Avenue East and extending to a point 124 feet southerly therefrom be changed to a "No Parking" regulation; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

(c) **West side of Park Street South, north of Bold Street**

The Committee was in receipt of a report dated 1993 February 9 from the Director of Traffic Services respecting the west side of Park Street South, north of Bold Street.

The Committee approved the following recommendation:

- (a) That the existing "No Stopping" regulation on the west side of Park Street South which commences at Bold Street and extends to a point 72 feet northerly, be lengthened, such that the regulation commences at Bold Street and extends to a point 92 feet northerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

v. **Taxi Stand****West Side of Currie Street, south of DuBarry Boulevard**

The Committee was in receipt of a report dated 1993 March 17 from the Director of Traffic Services respecting the west side of Currie Street, south of DuBarry Boulevard - Taxi Stand.

The Committee approved the following recommendation:

- (a) That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of Currie Street commencing at a point 76 feet south of the south curb line of DuBarry Boulevard and extending 60 feet southerly; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

vi. **Bus Stop Relocation and Removal**

The Committee was in receipt of a report dated 1993 March 2 from the Director of Traffic Services respecting the Delaware Route - Bus Stop Relocation and Removal.

The Committee approved the following recommendation:

- (a) That in accordance with the request by the Hamilton Street Railway Company:
 - i. the following bus stop be relocated:
Route 5 Delaware

Westbound - Whitney Avenue, north side, from 59 feet east of the east curb line of Mericourt Road (N/S) to, Whitney Avenue, north side, 81 feet west of the west curb line of Mericourt Road (F/S); and
 - ii. the following bus stop be removed:
Route 5 Delaware

Westbound - Whitney Avenue, north side, 222 feet west of the west curb line of Mericourt Road (M/B); and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

vii. **Transportation Association of Canada - Environmental Policy and Code of Ethics**

The Committee was in receipt of a report dated 1993 March 8 from the Director of Traffic Services respecting the Environmental Policy and Code of Ethics of the Transportation Association of Canada.

The Committee approved the following recommendation:

That City Council go on record as supporting the Environmental Policy and Code of Ethics of the Transportation Association of Canada attached hereto as Appendix "A".

C. COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICESi. Encroachment Agreements

The Committee was in receipt of a report dated 1993 March 29 from the Senior Director, Roads Department respecting encroachment agreements.

The Committee approved the following recommendation:

- (a) That the applications to retain inadvertent encroachments at the following locations be approved during the pleasure of City Council:

	Location	Type of Encroachment	First Year/ Annual	File Number
i.	46 Lochearne Street	concrete veranda and steps measuring 2.41 ft. x 12.5 ft.	\$131./20.	T103-50 (1043)
ii.	169 Gibson Avenue	portion of garage measuring 3.93 ft. x 3.93 ft. onto assumed alleyway	\$131./20.	T103-50 (1044)
iii.	185 Emerald Street South	portion of concrete stoop and stairs measuring 4.35 ft. x 7.30 ft.	\$131./20.	T103-50 (1045)

- (b) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
- (d) That the first year fees and subsequent annual fees as noted in Sub-section (a) above be set for the encroachments.

ii. 1993 Servicing Expenditures Related to Subdivisions

The Committee was in receipt of a report dated 1993 March 26 from the Senior Director, Roads Department respecting 1993 Servicing Expenditures related to Subdivisions.

The Committee approved the following recommendation:

- (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in;

" CLAUDETTE GARDENS - PHASE 3 ", Hamilton

City's Share \$ NIL

Subdivider's Share \$71,766.42

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Claudette Gardens - Phase 3", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- (d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

iii. **Incorporating Certain City Lands into Various Streets by By-law**

The Committee was in receipt of a report dated 1993 March 25 from the Senior Director, Roads Department respecting incorporating certain City lands into various streets by by-law.

The Committee approved the following recommendation:

- (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access to newly registered subdivision developments:

Greenhill Avenue	Part 7	Plan 62R-5638
Balharbour Drive	Parts 3, 4 and 5	Plan 62R-8979
Sparling Avenue	Block 45	Plan 62M-688
Westlawn Drive	Block 46	Plan 62M-688
Public Walkway	Part 2	Plan 62R-12480

- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

iv. **Discharge of Encroachment Agreement - 77 James Street North**

The Committee was in receipt of a report dated 1993 March 26 from the Senior Director, Roads Department respecting the discharge of encroachment agreement - 77 James Street North.

The Committee approved the following recommendation:

- (a) That the Encroachment Agreement for 77 James Street North, registered as Instrument No. 94586 C.D., be discharged;
- (b) That the Mayor and City Clerk be authorized and directed to execute the discharge documents for the Encroachment Agreement, registered as Instrument No. 94586 C.D., in a form satisfactory to the City Solicitor.

v. **City of Hamilton's "Flat Rate Fee" for the Recovery of Servicing Costs associated with 0.3 metre reserves**

The Committee was in receipt of a report dated 1993 March 15 from the Senior Director, Roads Department respecting the City of Hamilton's "Flat Rate Fee" for the recovery of servicing costs associated with 0.3 metre reserves.

The Committee approved the following recommendation:

- (a) That the City's "Flat Rate Fee" to be applied to outstanding City of Hamilton municipal servicing costs along "0.3" metre Reserves, be adjusted from the present rate of \$325. per metre frontage and/or flankage to \$290. per metre frontage and/or flankage for 1993.
- (b) That the revised "Flat Rate Fee" be applied to all costs recovered in 1993 along 0.3 metre Reserves after the adoption of the proposed rate.

vi. 1993 Servicing Expenditures Related to Subdivisions

The Committee was in receipt of a report dated 1993 March 26 from the Senior Director, Roads Department respecting 1993 Servicing Expenditures Related to Subdivisions.

The Committee approved the following recommendation:

- (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in;

" RYMAL SQUARE ESTATES - PHASE 4 ", Hamilton

City's Share \$35,989.72 Subdivider's Share \$294,976.96

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Rymal Square Estates - Phase 4", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- (d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
- (e) That the City's share for the costs of services in "Rymal Square Estates - Phase 4" (\$35,989.72) be approved and the Finance and Administration Committee recommend the source of funding for this project.

D. DIRECTOR OF PUBLIC WORKS

i. Closure of Public Works Department Streets Division Capital Projects

The Committee was in receipt of a report dated 1993 February 25 from the Director of Public Works respecting the closure of Public Works Department Streets Division Capital Projects.

The Committee approved the following recommendation:

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source Of Financing
a) 609143007	Lighting Conversion	1,102,000.	1,102,000.	0.00	Reserve Cap. Proj./ Deb. Sinking Fund
TOTAL		1,102,000.	1,102,000.	0.00	

ii. Closure of Public Works Department Fleet Services Division Capital Projects

The Committee was in receipt of a report dated 1993 February 25 from the Director of Public Works respecting the closure of Public Works Department Fleet Services Division Capital Projects.

The Committee approved the following recommendation:

That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source Of Financing
a) 649151010	Shop Equipment	39,000.00	35,511.75	3,488.25	Reserve Cap Proj.
TOTAL		39,000.00	35,511.75	3,488.25	

E. DIRECTOR OF PROPERTY**i. Purchase of part of the property at 801 Rymal Road East from Gustav Turnewitsch required for the extension of Eaglewood Drive**

The Committee was in receipt of a report dated 1993 March 22 from the Director of Property respecting the purchase of part of the property at 801 Rymal Road East.

The Committee approved the following recommendation:

- (a) That an Option to Purchase, duly executed by Gustav Turnewitsch on 1993 March 12, and scheduled for closing on or before 1993 June 16, for the purchase by the City of a parcel of land being composed of part of Lot 7, Concession 8, formerly in the Township of Barton, now in the City of Hamilton, containing 229.29 square metres (0.056 acres) more or less, shown as Parts 8 and 9 on Plan 62R-9927, be approved and completed, and the purchase price of \$6,800. be charged to Account No. CH5X323 00107 (Services Through Unsubdivided Lands). Subject land is required for the extension of Eaglewood Drive.
- (b) That it is understood and agreed that all costs (including land and construction costs) for the establishment of this extension of Eaglewood Drive will be charged against the One Foot Reserve and recovered at the time of development of the abutting land in accordance with municipal subdivision policies in effect at the time of development.

ii. Eleanor Avenue Road Closure - Offer to Purchase Agreement

The Committee was in receipt of a report dated 1993 March 25 from the Director of Property respecting an Offer to Purchase Agreement - Eleanor Avenue Road Closure.

The Committee approved the following recommendation:

- (a) That an Offer to Purchase, duly executed by Elio Bachetti on 1993 March 19 and scheduled to close within thirty (30) days of completion of the conditions as set out in the Agreement, but in any event no later than 1995 March 22, for the sale of part of Eleanor Avenue, Registered Plan 853, designated as Parts 5 and 6 on Reference Plan 62R-12366, more particularly described as having a width of 20.116 metres (65.997 feet) more or less, and a length of 27.204 metres (89.251 feet) more or less, and comprising a total area of 547.2 square metres (5,890.204 square feet) more or less, together with part of Lot 8, Concession 8, in the geographic Township of Barton, designated as Part 1, Reference Plan 62R-12366, being a triangular portion of Eleanor Avenue, having a frontage along the northerly limit of Rymal road East of 12.192 metres (40.0 feet) more or less, by a depth of 12.192 metres (40.0 feet) more or less, and comprising a total area of 74.3 square metres (799.785 square feet) more or less, be approved and completed, and the funds derived from this sale of \$4. be credited to Account No. CF5698 528946005 (City Share of Services).
- (b) That the City's deed to the Purchaser be subject to an easement in favour of Union Gas over Part 6, Plan 62R-12366.

Regarding such easement(s), the Purchaser acknowledges and agrees:

- i. That the Purchaser is required at his expense to enter into an Easement Agreement with and satisfactory to each Utility in order that such easement shall be registered before the closing of this sale to the Purchaser or registered as required by the Utility;
- ii. That within the said highway being closed and sold to the Purchaser are (or, are intended to be) installed the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway;
- iii. That the Easement Agreement with the Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the said land and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires;

The above requirements of the City may only be waived by the City.

- (c) That it be understood and agreed that the closing of this Offer to Purchase is subject to the City of Hamilton accepting and closing an Option to Purchase executed by Elio Bachetti for the purchase of a portion of the property located at 727 Rymal Road East, being rear land and designated as Parts 7 and 8 on Reference Plan 62R-12366, by the City. The said Option to Purchase and this Offer to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other.

- (d) That the closing of this sale to Elio Bachetti be conditional upon the closing of the sale to the City of Hamilton by Elio Bachetti provided for in the Option to Purchase referred to above.
- (e) That it be understood and agreed that the closing of this Offer to Purchase is conditional upon the City of Hamilton, its contractors or assigns completing the following works to the City's sole satisfaction:
 - i. The removal of the asphalt road covering of the closed portions of Eleanor Avenue and portions of Rymal Road East, being Parts 2, 3, 5 and 6 and Parts 1 and 4 respectively on Plan 62R-12366, and the replacement of said asphalt with topsoil and sod.
 - ii. The removal and restoration of the private driveway belonging to municipal address 741 Rymal Road East and its replacement to Alma Avenue together with all associated works.
 - iii. The removal, restoration and replacement of the private water services currently servicing municipal address 727 and 741 Rymal Road East.
- (f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

ii. **Option to Purchase Agreement - Eleanor Avenue Road Closure**

The Committee was in receipt of a report dated 1993 March 25 from the Director of Property respecting an Option to Purchase Agreement, Eleanor Avenue Road Closure.

The Committee approved the following recommendation:

- (a) That an Option to Purchase Agreement by the City, duly executed by the owner, Elio Bachetti, on 1993 March 19, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 April 22, for the purchase of those lands described as part of Lot 8, Concession 8, in the geographic Township of Barton, designated as Parts 7 and 8 on Reference Plan 62R-12366, having a frontage along the westerly limit of Eleanor Avenue of 22.098 metres (72.5 feet) more or less, by a depth of 27.432 metres (90.0 feet) more or less, and comprising a total area of 606.5 square metres (6,528.52 square feet) more or less, being a portion of the rear land of municipal address 727 Rymal Road East, be approved and completed, and the purchase price of \$4. be charged to Account No. CF5698 528946005 (City Share of Services).
- (b) That it is understood and agreed that the closing of this Option to Purchase is subject to the City of Hamilton accepting and completing an Offer to Purchase executed by Elio Bachetti for the closed portion of Eleanor Avenue and a portion of Rymal Road East, more particularly described as Parts 1, 5 and 6, Reference Plan 62R-12366. Said Part 6, Reference Plan 62R-12366, is being sold subject to an easement in favour of Union Gas. The said Offer to Purchase and this Option to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other.
- (c) That the closing of this purchase by the City be conditional upon the closing of the sale to Elio Bachetti provided for in the Offer to Purchase referred to above.
- (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

iii. Offer to Purchase Agreement - Eleanor Avenue Road Closure

The Committee was in receipt of a report dated 1993 March 25 from the Director of Property respecting an Offer to Purchase Agreement, Eleanor Avenue Road Closure, Lillian Mary Snyder, 741 Rymal Road East.

The Committee approved the following recommendation:

- (a) That an Offer to Purchase, to be executed by Lillian Mary Snyder, and schedule to close within thirty (30) days of completion of the conditions as set out in this agreement, but in any event no later than 1995 March 22, for the sale of part of Eleanor Avenue, described as part of Parcel "A", Registered Plan 1007, and designated as Part 4 on Reference Plan 62R-12366, being a triangular parcel of land, having a frontage along the northerly limit of Rymal Road East of 7.010 metres (22.998 feet) more or less, by a depth of 7.010 metres (22.998 feet) more or less, and comprising a total area of 24.6 square metres (264.80 square feet) more or less, be approved and completed, and the funds derived from this sale of \$4. be credited to Account No. CF5698 528946005 (City Share of Services).
- (b) That it be understood and agreed that the closing of this Offer to Purchase is subject to the City of Hamilton accepting and completing an Offer to Purchase executed by Elio Bachetti for the closed portion of Eleanor Avenue, more particularly described as Parts 1, 5 and 6 on Reference Plan 62R-12366, said Part 6 being sold subject to an easement in favour of Union Gas, and the City of Hamilton accepting and completing an Option to Purchase Agreement executed by Elio Bachetti for the purchase of a portion of the property located at 727 Rymal Road East, being rear land and designated as Parts 7 and 8 on Reference Plan 62R-12366, by the City. The aforementioned Offer to Purchase and Option to Purchase together with this Offer to Purchase are to be accepted by City Council concurrently and all properties are to be finalized contemporaneously with each other.
- (c) The closing of this sale to Lillian Mary Snyder is conditional upon the closing of the sale to the City of Hamilton by Elio Bachetti provided for in the Option to Purchase referred to above, and the sale by the City of the lands to Elio Bachetti provided for in the Offer to Purchase referred to above.
- (d) The City agrees to pay Lillian Mary Snyder's reasonable legal fees, provided the account for legal services, the hourly rate and hours incurred are satisfactory to the City Solicitor.
- (e) That it be understood and agreed that the closing of this Offer to Purchase is conditional upon the City of Hamilton, its contractors or assigns completing the following works to the City's sole satisfaction:
 - i. The removal of the asphalt road covering of the closed portions of Eleanor Avenue and portions of Rymal Road East, being Parts 2, 3, 5 and 6 and Parts 1 and 4 respectively, and the replacement of said asphalt with topsoil and sod.
 - ii. The removal and restoration of the private driveway belonging to municipal address 741 Rymal Road East and its replacement to Alma Avenue together with all associated works.
 - iii. The removal, restoration and replacement of the private water services currently servicing municipal address 727 and 741 Rymal Road East.
- (f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

iv. Purchase of a 12 metre easement through proposed
Gagliano Gardens Subdivision to provide sewer outlet

The Committee was in receipt of a report dated 1993 March 25 from the Director of Property respecting the purchase of a 12 metre easement through the proposed Gagliano Gardens Subdivision to provide a sewer outlet for Bar-Brock Estates - Phase 3 - Future Gagliano Drive.

The Committee approved the following recommendation:

- (a) That the Director of Property be directed to negotiate with Mr. A. DiCenzo, owner of DiCenzo Construction Company Limited, for the acquisition of a 12 metre easement through a portion of his lands to be known as Gagliano Drive, required for providing services to Bar-Brock Estates, Phase 3, immediately west of Gagliano Gardens Addition, shown cross-hatched on the attached plan. The necessary expenditures are to be charged to Account No. CH5X303 00107 (Services Through Unsubdivided Lands).
- (b) That in the event the Director of Property is unsuccessful in negotiating the purchase of the required lands on or before 1993 July 15, the City Solicitor be authorized and directed to initiate expropriation proceedings, and the Director of Property be authorized to retain an independent fee appraiser to prepare an appraisal of market value. The costs are to be charged to Account No. CH5X303 00107 (Services Through Unsubdivided Lands).

iv. Sale of 24 Residential Building Lots Wheten Court Subdivision

The Committee was in receipt of a report dated 1993 March 23 from the Director of Property respecting the sale of 24 residential building lots Wheten Court Subdivision, 107 Mohawk Road East at Warren.

The Committee approved the following recommendation:

- (a) That the following Tenders to purchase 24 residential building lots in the City's Wheten Court Subdivision (107 Mohawk Road East at Warren) be accepted, provided each purchaser enters into an Agreement of Purchase and Sale with the City within 30 days of this resolution. The successful Tenders recommended by the Property Department are as follows:

DESCRIPTION	PURCHASE PRICE	PURCHASER	DEPOSIT (Certified Cheque)
Lot 1, Plan 62M-674	\$40,000.00	886531 Ontario Ltd.	\$2,000.00
Lot 2, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 3, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 4, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 5, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 6, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 7, Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 8, Plan 62M-674	50,000.00	886531 Ontario Ltd.	2,400.00
Lot 9, Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,400.00
Lot 10, Plan 62M-674	52,000.00	Carlo Silvestri	2,550.00
Lot 11, Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,500.00
Lot 12, Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,500.00
Lot 13, Plan 62M-674	55,000.00	Carlo Del Sordo	2,750.00
Lot 14, Plan 62M-674	53,901.00	Blue Paradise Homes	2,695.05
Lot 15, Plan 62M-674	55,500.00	Carlo Del Sordo	2,750.00
Lot 16, Plan 62M-674	52,901.00	Antonio Paiano	2,645.05
Lot 17, Plan 62M-674	52,901.00	Antonio Paiano	2,645.05
Lot 18, Plan 62M-674	52,901.00	Antonio Paiano	2,645.05
Lot 19, Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,400.00
Lot 20, Plan 62M-674	50,000.00	886531 Ontario Ltd.	2,400.00
Lot 21, Plan 62M-674	51,000.00	Carlo Silvestri	2,550.00
Lot 22, Plan 62M-674	51,000.00	Carlo Silvestri	2,550.00
Lot 23, Plan 62M-674	50,000.00	Amarjeet Lakhian	2,800.00
Lot 24, Plan 62M-674	50,000.00	886531 Ontario Ltd.	2,500.00

- (b) That upon execution of the Offer to Purchase agreement, a separate certified cheque(s) payable to the City of Hamilton in the amount of \$3,000. is also required for each lot to be held as a refundable security deposit, without interest, pending satisfactory completion of grading specifications.
- (c) That in the event the successful tenderor does not enter into the said agreement with the City of Hamilton within 30 days of this resolution (in the form of Offer to Purchase agreement attached hereto) the deposit cheque(s) shall be forfeited and surrendered as agreed amount of liquidated damages.
- (d) That the Mayor and City Clerk be authorized to execute the necessary documents to carry out these lot sales, including the said Offer to Purchase agreements.
- (e) That the total sale price of \$1,165,104. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases), and the certified deposit cheques in the total amount of \$57,680.20 be held by the City Treasurer pending completion of these transactions.

F. CITY SOLICITOR

Local Improvements of Sidewalks on Limeridge Road - \$60,000.

- i. The Committee was in receipt of a report dated 1993 March 26 from the City Solicitor respecting the local improvements of sidewalks on Limeridge Road - \$60,000.

The Committee approved the following recommendation:

That City Council enact the by-law to authorize construction of local improvements of sidewalks on Limeridge Road from Upper Wellington Street to approximately 263 m easterly and from approximately 376 m east of Upper Wellington Street to approximately 69 m easterly.

Local Improvements of Sidewalks on Upper Paradise Road - \$47,700.

- ii. The Committee was in receipt of a report dated 1993 February 25 from the Senior Director, Roads Department respecting local improvements of sidewalks on Upper Paradise Road - \$47,700.

The Committee approved the following recommendation:

That City Council enact the by-law to authorize construction of local improvements of sidewalks on Upper Paradise Road from Stone Church Road to approximately 187 m southerly and from approximately 86 m south of Skyview Drive to approximately 83 m southerly.

F. SECRETARY, TRANSPORT AND ENVIRONMENT COMMITTEE

Information Reports

The Committee was in receipt of a report dated 1993 March 30 from the Secretary, Transport and Environment Committee respecting information reports.

The Committee approved the following recommendation:

1993 February	Environment Ontario	Ontario's Waste Reduction Action Plan	1993 March 22
1993 March 17	Ontario Waste Management Association	Etobicoke Council Overrides Works Committee	1993 March 22
1993 March 17	Ontario Waste Management Association	OWMA Chooses Blueprint Project Consultant	1993 March 22

1993 March 19 Murray Main
Director of
Traffic Services

Parking Regulation 1993 March 30
Notices (TEC-74-93)

1993 March 31 Jim Halliday
Senior Director of
Environmental Services
Department

Harbour Front Recycling 1993 March 30
Inc. Amendment for
Certificate of Approval

G. MANAGER OF PURCHASING

i. Supply and Delivery of Vehicle Actuated Traffic Controllers, Traffic Department

The Committee was in receipt of a report dated 1993 March 30 from the Manager of Purchasing respecting the supply and delivery of vehicle actuated Traffic Controllers, Traffic Department.

The Committee approved the following recommendation:

That a purchase order be issued to Fortran Traffic Systems Limited, Scarborough, for the supply and delivery of Vehicle Actuated Traffic Controllers as and when required during 1993 by the Traffic Department, being the lowest of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Traffic Signal Materials Account No. CH56152 75999.

ii. Annual Supply of Athlete Field Lime, Public Works Department

The Committee was in receipt of a report dated 1993 March 31 from the Manager of Purchasing respecting the annual supply of athlete field lime, Public Works Department.

The Committee approved the following recommendation:

That a purchase order be issued to Steetley Lime & Aggregates, Dundas, for the supply and delivery of Athlete Field Lime as and when required during 1993 by the Public Works Department in the amount of \$14.55 per metric tonne plus applicable taxes, being the lowest acceptable of two tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, and be financed through Stock Materials Account No. CH56197 60999.

3. CITY CLERK

(a) 1993 Reconstruction Programme for Roads and Sidewalks

The Committee was in receipt of correspondence dated 1993 March 12 from the City Clerk respecting 1993 Reconstruction Programme for Roads and Sidewalks which City Council at its meeting held 1993 March 9 had agreed to refer back to the Transport and Environment Committee.

The Committee was also receipt of a report dated 1993 January 21 from the Director of Public Works respecting the 1993 Proposed Road and Sidewalk Capital Improvement Program.

Following a brief discussion, the Committee approved the following recommendation:

- (a) That the 1993 Road and Sidewalk Capital Improvement Programme in the amount of seven million dollars (\$7,000,000.) attached hereto as Appendix "B", be approved; and,
- (b) That the Commissioner of Transportation/Environmental Services be authorized to undertake the works on behalf of the City of Hamilton once all the necessary approvals have been received; and,

- (c) That the Commissioner of Transportation/Environmental Services prepare the necessary by-laws and the City Clerk be authorized and directed to advertise these by-laws as required by Section 300 of the Municipal Act of the City's intention to proceed with the altering of the following streets:
 - i. Mount Albion Road from approximately 90 m north of Albright Road to approximately 110 m south of Albright Road - widening to provide a left turn lane.
 - ii. Sanders Boulevard from West Park Avenue to Norfolk Street - road narrowing.
 - (d) That the Director of Property be authorized and directed to negotiate the purchase of the land required for the widening of the Mount Albion and Albright Road intersection.
 - (e) That Section 41 of the Second Report of the Transport and Environment Committee for 1993, be rescinded.
- (b) ***Availability of Disabled Parking at No. 1 Hunter Street East**

The Committee was in receipt of correspondence dated 1993 March 12 from the City Clerk respecting the availability of disabled parking at No. 1 Hunter Street East which was referred back to the Transport and Environment Committee by City Council at its meeting held 1993 March 9.

Following a brief discussion, the Committee approved the following recommendation:

- (a) That the Regional Council be advised that the City of Hamilton Traffic By-law does not provide for reserved disabled parking spaces on City streets; and
 - (b) That a recommendation be forwarded to the Regional Department of Social Services that reserved disabled parking spaces be provided within existing parking areas on their own property.
- (c) **Policies for the Safe Storage, Transfer and Destruction of PCB Wastes, City of Burlington**

The Committee was in receipt of correspondence dated 1993 March 9 from the City of Burlington respecting policies for the safe storage, transfer and destruction of PCB Wastes - Request for Endorsement.

The Committee approved that the item be received.

- (d) **Proposed Northern Ontario Solid Waste Management System Project
at the Former Adams Mine Site - City of Toronto - Request for Endorsement**

The Committee was in receipt of correspondence dated 1993 February 19 from the Municipal Clerk's Department respecting the proposed Northern Ontario Solid Waste Management System Project at the former Adams Mine Site.

The Committee approved that the item be received.

- (e) **Rail Line - Town of Lindsay - Request for Endorsement**

The Committee was in receipt of correspondence dated 1993 March 11 from the Town Manager/Clerk, Town of Lindsay respecting Rail Line requesting for endorsement.

The Committee approved that the item be received.

- (f) **Proposed Seaway Transitional Western Green Transportation Act (WGTA) Offset Program - Request for Support**

The Committee was in receipt of correspondence dated 1993 January 26 from the City of Thunder Bay respecting the proposed Seaway Transitional Western Green Transportation Act (WGTA) - request for support.

The Committee approved that the item be received.

- (g) **Voyageur Colonial Complaint to National Transportation Agency (NTA) concerning VIA Rail's discount fares - Transport 2000 Canada**

The Committee was in receipt of correspondence dated 1993 January 25 from Transport 2000 respecting Voyageur Colonial complaint to National Transportation Agency concerning VIA Rail's discount fares - request for support.

The Committee approved that the item be received.

4. **DIRECTOR OF TRAFFIC SERVICES**

Deletion of Nash Road, Barton Street to King Street from the Truck Route System

The Committee was in receipt of a report dated 1993 February 26 from the Director of Traffic Services respecting the deletion of Nash Road, Barton Street to King Street from the Truck Route System.

The Committee approved the following recommendation:

That the present status of Nash Road, Barton Street to King Street, as a part-time truck route 7:00 o'clock a.m. to 7:00 o'clock p.m., remain unchanged.

5. **MANAGER OF PURCHASING**

- (a) **Supply and Delivery of Traffic Paint during 1993**

The Committee was in receipt of a report dated 1993 March 30 from the Manager of Purchasing respecting the supply and delivery of Traffic Paint during 1993.

Alderman Merling informed the Committee that the low bid was a firm from Scarborough, Ontario, Ibis Products Limited. He stated that a local firm, Niagara Paint and Chemical from Hamilton was the second low bidder and that the difference in bids was slightly more than \$1,000. He suggested that due to the minimal difference in bids that the Hamilton-based company be selected rather than a low bidder.

Subsequently, the Committee approved the following recommendation:

That a purchase order be issued to Niagara Paint and Chemical, Hamilton, for the supply and delivery of Traffic Paint as and when required during 1993, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, at the following prices, and be financed through Pavement Markings Material Account No. 56153 75999.

White and Yellow non-coning in 205 l. containers	\$1.76 l.
White and Yellow coning in 20 l. containers	1.86 l.
GST and PST extra	

(b) **Removal of Pavement Markings, Traffic Department**

The Committee was in receipt of a report dated 1993 March 30 from the Manager of Purchasing respecting the removal of Pavement Markings, Traffic Department.

The Committee approved the following recommendation:

- (a) That Section 51 of the Third Report of the Transport and Environment Committee for 1993 approved by Council 1993 March 9, respecting A & A Restoration's, be rescinded.
- (b) That a purchase order be issued to Empery Road Services, Hamilton, for removal of pavement markings using Sandblasting Equipment as and when required during 1993 and 1994 by the Traffic Department, being the lowest of three quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Contractual Services Account No. CH56364 75999.
- (c) That A & A Restoration's be deleted from our Bidders' List for a period of four years due to the fact that this current contract is for a two year period and therefore this company would not be entitled to bid on the next tender call.

6. **COMMISSIONER OF TRANSPORTATION/ENVIRONMENTAL SERVICES**

CP Rail Overhead Bridges on Pearl, Poulette and Ray Streets

The Committee was in receipt of a report dated 1993 March 24 respecting CP Rail Overhead Bridges on Pearl, Poulette and Ray Streets.

Mr. Aston of the Roads Department spoke to the issue and stated that public meetings had been held and further reports on other bridges would be presented when completed.

The Committee subsequently approved the following recommendation:

- (a) That the City of Hamilton reconfirm its application to the National Transportation Agency of Canada (NTA) for approval to reconstruct the Poulette Street Overhead Bridge, mileage 38.5, Waterford Subdivision, Canadian Pacific Limited, as a pedestrian bridge; and,
- (b) That the cost of reconstruction and future maintenance costs be the responsibility of Canadian Pacific Limited; and,
- (c) That in making this application the City is reserving all rights and remedies it may have pursuant to the Minutes of Settlement dated 1986 May 1, between the City and CP Rail and, accordingly, such application is to be considered entirely without prejudice to those rights and remedies and no waiver or acquiescence (express or implied) of those rights and remedies can or will be inferred from the City making this application.

7. **SECRETARY, FINANCE AND ADMINISTRATION COMMITTEE**

Windermere Basin Rehabilitation Project Status - Update

The Committee was in receipt of correspondence dated 1993 March 15 from the Secretary, Finance and Administration Committee respecting the Windermere Basin Rehabilitation Project Status - Update which had been referred to the Transport and Environment Committee by the Finance and Administration Committee at its meeting held 1993 March 4. The Committee was also in receipt of an information report dated 1993 February 2 from the Chief Administrative Officer respecting Windermere Basin Rehabilitation Project Status - Update.

Following a brief discussion and review of the background information, the Committee approved that no action be taken in regard to the request from the Hamilton Harbour Commissioners for the City to contribute further funds to the Windermere Basin Rehabilitation Project.

8. ALDERMAN T. COOKE

Martin-Stewart Contracting Limited - Ronald McDonald House
Main Street West - Estimate from Public Works - Curb Installation

The Committee was in receipt of a report dated 1993 March 2 from Alderman T. Cooke respecting Martin-Stewart Contracting Limited - Ronald McDonald House Main Street West - Estimate from Public Works - Curb Installation.

Following a brief discussion, the Committee approved the following recommendation:

- (a) That the City of Hamilton donate the \$786.45 cost of the installation of the concrete approach to Ronald McDonald House, 1510 Main Street West.
- (b) That the Department of Public Works fund the installation of the approach from its 1993 Current Budget.

9. DELEGATIONS

- (a) **Application to close alleyways on 139 Glenfern Avenue - Mr. J. Richard Lees**

The Committee was in receipt of correspondence dated 1993 March 24 from Mr. J. Richard Lees, the agent for Mr. Sam Rosenblatt respecting application to close alleyways on 139 Glenfern Avenue.

Mr. Lees appeared before the Committee and explained that he had not been notified of the last meeting at which time, the application to close alleyways on 139 Glenfern Avenue had been addressed by the Transport and Environment Committee and therefore was unable to represent Mr. Rosenblatt in this regard. Mr. Lees presented his case to the Committee and following discussion, the Committee approved that the item be received.

- (b) **Sale of the Closed Portion of an Alley between Elgin Street and Ferguson Avenue North and from Cannon Street southerly to Kelly Street**

The Committee was in receipt of a report dated 1993 March 25 from the Senior Director of Roads Department respecting the sale of the closed portion of an alley between Elgin Street and Ferguson Avenue North and from Cannon Street southerly to Kelly Street.

As no delegation was present, the Committee approved the following recommendation:

- (a) That the alley between Elgin Street and Ferguson Street, from Cannon Street southerly to Kelly Street shown as Part 1 on Plan 62R-12068, be sold to Lockwood Motors Limited for \$24,000.
- (b) That the by-law to carry out the sale of the said lands be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

(c) **Sale of the Closed Portion of Limeridge Road West at Garth Street**

The Committee was in receipt of a report dated 1993 March 25 from the Senior Director, Roads Department respecting the sale of the closed portion of Limeridge Road West at Garth Street.

As no delegation was present, the Committee approved the following recommendation:

- (a) That parts of Limeridge Road West (road allowance between Concessions 6 and 7, former Township of Barton) shown as Parts 2, 3 and 7, on Plan 62R-11800, be sold to the Regional Municipality of Hamilton-Wentworth for \$148,000.
- (b) That the by-law to carry out the sale of the said lands be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

(d) ***To Stop-up, Close and Retain a Portion of Tom Street
to Breadalbane Street, 40 m westerly**

The Committee was in receipt of a report dated 1993 March 25 from the Senior Director, Roads Department respecting the closure and retention of a portion of Tom Street to Breadalbane Street, 40 metres westerly.

As no delegation was present, the Committee approved the following recommendation:

- (a) That Tom Street, Registered Plan No. 255, designated as Part 3 on Plan 62R-6060 be closed and retained.
- (b) That the by-law to carry out the closure and retention of the said lands be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

(e) **Reconstruction of portions of Mount Albion Road from approximately 90 m north of Albright Road to approximately 110 m south of Albright Road**

The Committee was in receipt of a report dated 1993 March 26 from the Senior Director, Roads Department respecting the reconstruction of portions of Mount Albion Road from approximately 90 m north of Albright Road to approximately 110 m south of Albright Road.

As no delegation was present, the Committee approved the following resolution:

That City Council enact the appropriate by-law to widen and alter Mount Albion Road from approximately 90 m north of Albright Road to approximately 110 m south of Albright Road, to provide a left turn lane.

(f) **Reconstruction of Sanders Boulevard from West Park Avenue to Norfolk Street**

The Committee was in receipt of a report dated 1993 March 26 from the Director of Public works respecting the proposed narrowing of Sanders Boulevard from West Park Avenue to Norfolk Street.

Mr. Meiers of the Public Works Department spoke to the issue and reviewed the background information in the report. He stated that a public meeting had been held on 1993 March 22 which was attended by 21 residents in the area. Mr. and Mrs. Kitar 21 Sanders Boulevard appeared before the Committee and indicated that the majority of residents had requested that no change to the existing width take place. Alderman Kiss spoke to the issue and stated that the majority of residents would like to see the reconstruction take place but that no change in the width occur. Alderman Cooke then spoke to the issue and stated that three factors should be considered: 1. Community feelings 2. Cost associated with the operations. 3. The use of the road. He suggested that the Committee should consider alternatives (b) and (c) as presented in the background of the report.

The Committee then considered the following recommendation moved by Alderman Kiss seconded by Alderman Eisenberger:

That approval be given to proceed with the reconstruction of Sanders Boulevard between West Park Avenue to Norfolk Street in conjunction with the 1993 Reconstruction Programme in its original width.

MOTION LOST.

The Committee then considered the following recommendation moved by Alderman Wilson, seconded by Alderman Morelli:

- (a) That approval be given to proceed with the narrowing of Sanders Boulevard from 16.5 m to 11.5 m between West Park Avenue to Norfolk Street in conjunction with the 1993 Reconstruction Programme.
- (b) That the appropriate by-law be enacted by City Council.

MOTION LOST.

The Committee then considered the following motion moved by Alderman D'Amico, seconded by Alderman Jackson:

- (a) That approval be given to proceed with the narrowing of Sanders Boulevard from 16.5 m to 14.5 m between West Park Avenue to Norfolk Street in conjunction with the 1993 Reconstruction Program.
- (b) That the appropriate by-law be enacted by City Council.

MOTION LOST.

The Committee then agreed to reconsider the motion which was moved by Alderman Kiss, seconded by Alderman Eisenberger:

That approval be given to proceed with the reconstruction of Sanders Boulevard between West Park Avenue to Norfolk Street in conjunction with the 1993 Reconstruction Programme in its original width.

MOTION LOST.

The Committee then agreed to reconsider the recommendation moved by Alderman Wilson, seconded by Alderman Morelli:

- (a) That approval be given to proceed with the narrowing of Sanders Boulevard from 16.5 m to 11.5 m between West Park Avenue to Norfolk Street in conjunction with the 1993 Reconstruction Programme.
- (b) That the appropriate by-law be enacted by City Council.

MOTION LOST.

Subsequently the Committee approved the following recommendation:

Moved by Alderman D'Amico, seconded by Alderman Jackson:

- (a) That approval be given to proceed with the narrowing of Sanders Boulevard from 16.5 m to 14.5 m between West Park Avenue to Norfolk Street in conjunction with the 1993 Reconstruction Programme.
- (b) That the appropriate by-law be enacted by City Council.

***Alderman Merling and Alderman Eisenberger recorded opposed.**

- (g) **Stopping-up, Closing and Retaining the Portion of Tom Street to Breadalbane Street, 40 m westerly**

The Committee agreed to reconsider the stopping-up, closing and retaining the portion of Tom Street to Breadalbane to 40 m westerly as a delegation had arrived to present their case in this matter.

Mr. Mike Rowan and Mr. Bodenham appeared before the Committee and expressed their objections to the proposed closure of Tom Street in this location. Mr. Pavelka stated that the area in question was presently a park and that the closure was simply a housekeeping matter. Following discussion, the Committee approved the following recommendation:

- (a) That Tom Street, Registered Plan No. 255, designated as Part 3 on Plan 62R-6060 be closed and retained.
- (b) That the by-law to carry out the closure and retention of the said lands be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

10. AVAILABILITY OF DISABLED PARKING AT
NO. 1 HUNTER STREET EAST - RECONSIDERATION

The Committee agreed to reconsider the recommendation respecting the Availability of Disabled Parking at No. 1 Hunter Street East.

Alderman Copps spoke to the issue and stated that the parking lot behind 1 Hunter Street East was too steep to accommodate wheelchair access to the Disability Office housed in 1 Hunter Street East.

Following considerable discussion, the Committee agreed that the item be sent back for a complete staff report to be presented to the Transport and Environment Committee.

11. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

Kevin C. Christenson
Secretary
1993 April 5

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Tuesday, 1993 April 6
5:30 o'clock p.m.
Room 233, City Hall

2(A)(ii)

The Transport and Environment Committee met in special session.

Present: Alderman H. Merling, Chairman
Alderman V. J. Agro, Vice-Chairman
Alderman M. Kiss
Alderman B. Morelli
Alderman D. Wilson
Alderman F. Eisenberger
Alderman T. Jackson
Alderman F. D'Amico

Absent: Mayor R. M. Morrow, City Business

Also present: Alderman T. Cooke
Alderman G. Copps
Alderman D. Agostino
Alderman B. Charters
Alderman D. Ross
Mr. J. G. Pavelka, Chief Administrative Officer
Ms. P. Noé Johnson, City Solicitor
Mr. D. Lobo, Director of Public Works
Mr. B. Chrystian, Department of Public Works
Mr. J. Pook, Department of Public Works
Mr. J. Johnston, Commissioner of Human Resources
Mr. K. C. Christenson, Secretary

1. DIRECTOR OF PUBLIC WORKS

Ice Storm Damage - April 1993

The Committee was in receipt of a report distributed at the meeting dated 1993 April 6 from the Director of Public Works respecting ice storm damage - April 1993. Mr. Lobo reviewed the contents of his report and detailed the background information. He stated that two issues were of major importance: 1. Cost. 2. Recall of laid-off employees and the use of contractors after all Local 5 employees had been recalled. Mr. Pavelka stated that as a result of the ice storm on 1993 April 1, the total estimated cost of the clean-up of tree-related damage on road allowances not including parks, cemeteries and other municipally-owned properties is \$696,051.00. He stated that a separate report respecting the damage to parks, cemeteries and other municipally-owned properties would be presented to the Parks and Recreation Committee at a later date. He stated that the total cost was an unbudgeted amount and that the Treasury Department would be requested to find the necessary funds.

Mr. Pavelka informed the Committee that this could result in layoffs of 100 Local 5 employees for two to three week period in the fall to cover these unbudgeted costs. Alderman Wilson expressed concern with the suggestion of possible additional layoffs of the same Local 5 crew which are laid-off in the spring. Mr. Johnston informed the Committee that service demands are the driving force for layoffs in the Public Works Department and the Culture and Recreation Department. He stated that all of the layoffs could be instituted in the spring but that this would cause problems with openings of parks and recreational facilities. The Committee discussed and expressed concern with the layoffs of the same group of employees in the spring and fall of the same year. Mr. Pavelka informed the Committee that all employees who are presently laid off will be recalled prior to the use of any contractors.

Following considerable discussion, the Committee approved the following recommendation:

- (a) That qualified City forces required to eliminate safety hazards and removal of all brush/branch debris resulting from the 1993 April 1 ice storm be maintained until the clean-up is complete, expected to require 42 working days from date of the storm.
- (b) That costs associated with the clean-up program be charged to Centre 60428 -Arboriculture-Storm Damage.
- (c) That the projected budgetary impacts of the clean-up work be forwarded to the Finance and Administration Committee for information at this time and that upon completion of the clean-up a more detailed report be submitted to the Transport and Environment Committee for its consideration.

***Alderman Kiss recorded opposed.**

2. IN CAMERA SESSION

The Committee agreed to go in camera to discuss an item regarding personnel. Following a brief in camera session, the Committee moved out of camera and approved the following recommendation:

"That in the event that garbage collection is disrupted on Saturday, 1993 April 10, the Director of Public Works be authorized to adjust the City garbage collection schedule to avoid a Saturday garbage collection on 1993 April 17."

***Aldermen Kiss, Jackson, D'Amico recorded opposed.**

3. DIRECTOR OF TRAFFIC SERVICES

Alternate Side Parking on East 13th Street

Alderman Merling informed the Committee that he had recently conducted a survey of the residents of East 13th Street between Mountville Avenue and Inverness Avenue East to determine if a majority would support an alternate side parking regulation on this street. He advised that 22 of 26 residents have responded affirmatively to the parking regulation questionnaire.

Subsequently, the Committee approved the following recommendation:

- (a) That an "Alternate Side Parking" regulation be implemented on East 13th Street from Inverness Avenue East and Mountville Avenue such that winter parking prohibition is on the west side of the street.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

4. ADJOURNMENT

There being no further business, the meeting then adjourned.

Taken as read and approved,

Kevin C. Christenson
Secretary
1993 April 6

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

2(BXIXA)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 02

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

CITY CLERKS

SUBJECT:

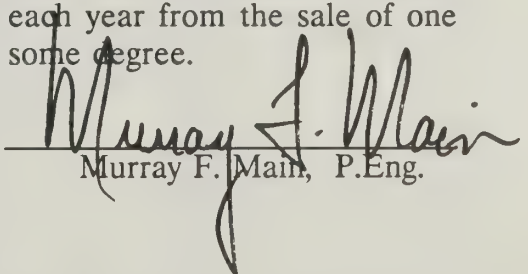
East Side of Locke Street North between Napier Street and Peter Street - Parking Regulations. [TEC-78-93]

RECOMMENDATION:

- a) That the existing "Permit Parking" regulation on the east side of Locke Street North which commences at a point 80 feet north of Napier Street and extends to a point 102 feet northerly therefrom be extended such that the regulation commences at a point 80 feet north of Napier Street and extends to a point 117 feet northerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, there is a potential for an additional \$12.00 in revenue each year from the sale of one additional parking permit which would off-set the cost to some degree.

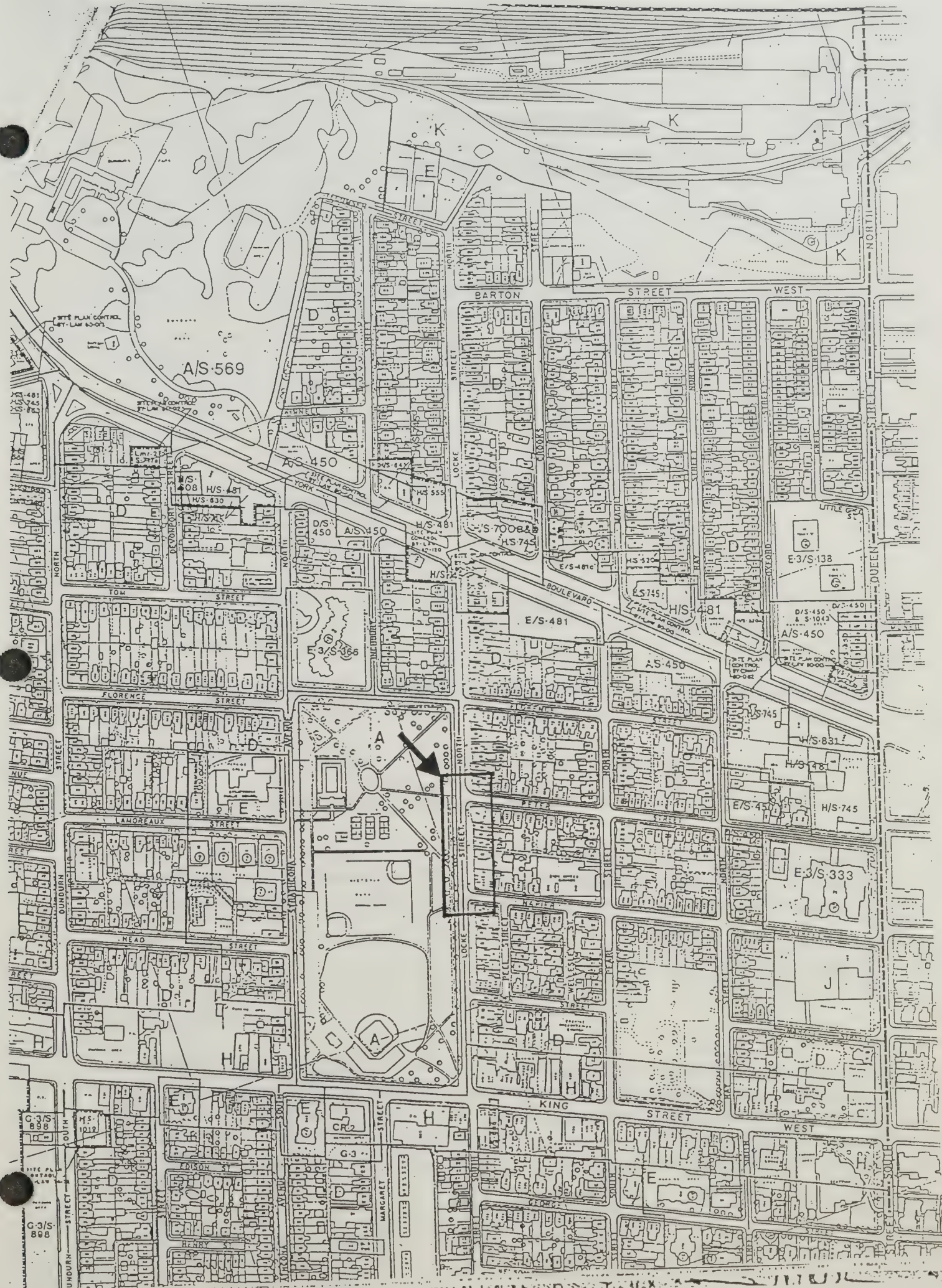

Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a request from Susan Villanueva, 66 Locke Street North, that the existing "Permit Parking" regulation on the east side of Locke Street for a portion of the block between Napier Street and Peter Street be extended across the frontage of her property.

Locke Street North has a 27 foot pavement width, and presently, parking is prohibited on the west side and there is unrestricted parking on the east side except for a short section of "Permit Parking" in this block. Mrs. Villanueva's property does not abut the existing "Permit Parking" regulation and she has expressed concern regarding long-term non-resident parking in front of her house by visitors of nearby apartments. The extension of the "Permit Parking" regulation would eliminate long-term non-resident parking in front of her home and she would be entitled to purchase a permit at a charge of \$12.00 per year to exempt her vehicle from the signed regulation. Therefore, the Traffic Department concurs with the request to extend the "Permit Parking" regulation across the frontage of the resident's property.


MT/MH/ks



CITY OF HAMILTON

2(B)(i)(b)

- RECOMMENDATION -

DATE: 1993 April 02

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

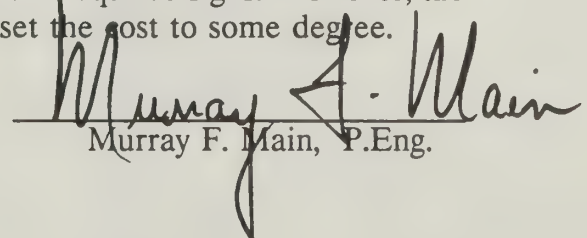
Kinnell Street - Parking Regulations. [TEC-77-93]

RECOMMENDATION:

- a) That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the north side of Kinnell Street between Inchbury Street and the westerly end; and
- b) That a "No Parking" regulation be implemented on the south side of Kinnell Street between Inchbury Street and the westerly end; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$24.00 annual charge for each parking permit would off-set the cost to some degree.


Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a petition signed by representatives of eight of the twelve residential dwellings abutting Kinnell Street, requesting that a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the north side and that a "No Parking" regulation be implemented on the south side of the street. All eight of the abutting residents who signed the petition are in favour of the requested regulations.

Kinnell Street has a 22 foot pavement width, and presently, parking is unrestricted on both sides of the street. The resident who circulated the petition has expressed concern regarding long-term non-resident parking by area employees and by non-residents visiting Dundurn Park. The implementation of the parking time limit regulation would reduce long-term non-resident parking on this street and area residents would be entitled to purchase permits to exempt their vehicles from the signed time limit regulation.

The Traffic Department supports the removal of parking from one side of narrow streets such as this to facilitate driveway movements and two-way traffic flow. Therefore, since 67 percent of the abutting residents are in favour of the requested parking regulations, the Traffic Department concurs with this request.


MT/CVB/ks

A/S-569

SITE PLAN CONTROL
BY-LAW 81-025

KINNEL ST

A/S-450

SITE PLAN CONTROL
BY-LAW 80-013

H/S-641

H/S-555

H/S-481

SITE PLAN CONTROL
BY-LAW 80-120

H/S-7008 &
H/S-745

SITE PLAN CONTROL
BY-LAW 80-013

H/S-481

E/S-481

E-3/S-386

A

STRATHCONA PUBLIC SCHOOL

ZION UNITED CHURCH

NAPIER

VICTORIA

PARK

SOFTBALL DIAMOND



2(BXIXC)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 16

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

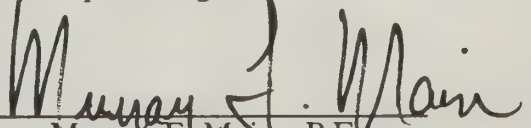
London Street South between King Street East and Central Avenue - Parking Regulations.
[TEC-71-93]

RECOMMENDATION:

- a) That the existing "Alternate Side Parking" regulation on London Street South between King Street East and Main Street East, be revised such that the regulation commences at Central Avenue and extends to Main Street East on the east side and such that the regulation commences at a point 11 feet north of the north curb line of Central Avenue and extends to Main Street East on the west side; and
- b) That a "No Parking" regulation be implemented on the west side of London Street South, commencing at a point 11 feet north of the north curb line of Central Avenue and extending to a point 86 feet southerly therefrom; and
- c) That a "No Parking" regulation be implemented on the east side of London Street South between King Street East and Central Avenue; and
- d) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.


Murray F. Main, P.Eng.

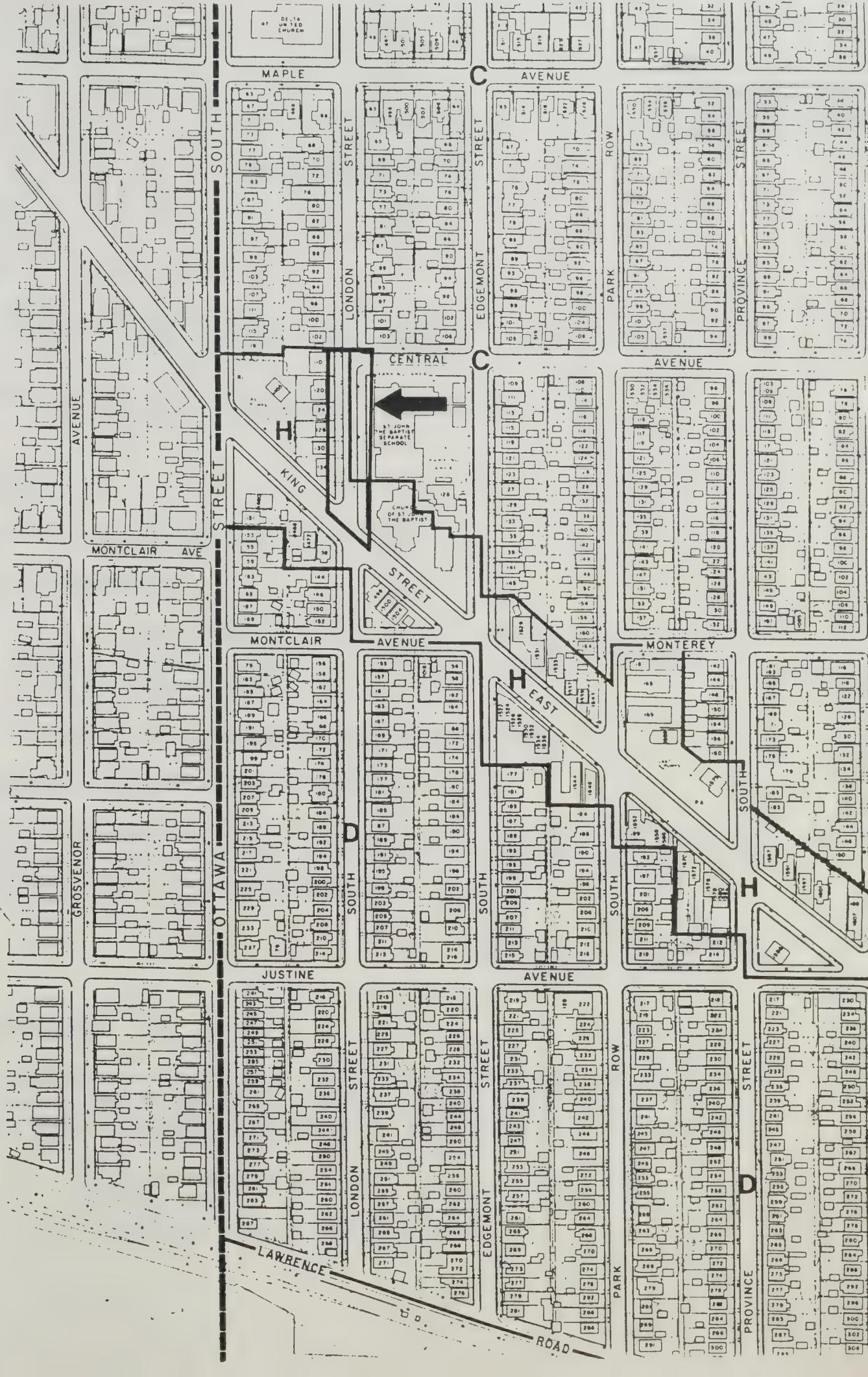
BACKGROUND:

Alderman Geraldine Copps recently advised of concerns from the proprietor of The Hair Salon, 134 London Street South, regarding the lack of on-street parking for their customers on London between King and Central.

London has a 28 foot pavement width and presently, there is an "Alternate Side Parking" regulation in this block. There is also a "No Parking, 7:00 a.m. to 6:00 p.m. Monday to Saturday" regulation on the east side of the street such that there is no on-street parking at all during the days when parking is prohibited on the west side of the street under the existing "Alternate Side Parking" regulation.

The Traffic Department recently contacted all five of the abutting residents in this block and they have all advised that they would support a full-time parking prohibition on the east side and unrestricted parking on the west side. This would provide approximately seven legal on-street parking spaces at all times on the west side for clients of The Hair Salon and area residents and the school side of the street would be clear of parked vehicles at all times. Therefore, since 100% of the abutting residents are in favour of the proposed regulations, the Traffic Department concurs with the request.


CVB/MH/ca



CITY OF HAMILTON

- RECOMMENDATION -

2(BX1X4)

DATE: 1993 April 23

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Acadia Drive - Parking Regulations. [TEC-96-93]

RECOMMENDATION:

- a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Acadia Drive between Butler Drive (west leg) and Beaverton Drive; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$24.00 annual charge for the parking permits will off-set the cost to some degree.


Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a petition to implement a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on both sides of Acadia Drive between Butler Drive and Beaverton Drive. The following is a summary of the petition:

- 41 total lots (occupied and vacant)
- 19 vacant lots
- 18 residents in favour of requested regulation

- 1 resident opposed
- 3 residents not contacted

Acadia has a 28 foot pavement width, and presently there is unrestricted parking on both sides of the street in this area. The Traffic Department has received several concerns regarding students from St. Jean de Brebeuf High School parking on both sides of the streets in this area.

The implementation of the requested regulation would reduce long-term non-resident parking and area residents would be entitled to purchase permits to exempt their vehicles from the signed time limit. Therefore, since representatives of 18 of 22 occupied residential properties are in favour of the requested regulation, the Traffic Department concurs with the request. Prospective home buyers would then be aware of the time limit regulation before purchasing a home in this area.

CVB
CVB/MH/ca

YCH
S-890

DRIVE

E

TWIN CRESCENT

63

67

71

75

79

83

87

AA

C

P

E

H

H. E. P. C.

ACADIA DRIVE

R-4

AA

ACADIA DRIVE

BUTLER DRIVE

BUTLER DRIVE

AMHERST CIRCLE

BEAVERTON DRIVE

DRIVE

CARTIER CRESCENT

AA/S
684

R-4

CRESCENT

CARTIER

AA/S-684

AVENUE

AN

CITY OF HAMILTON

- RECOMMENDATION -

2(BXixe)

DATE: 1993 April 21

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

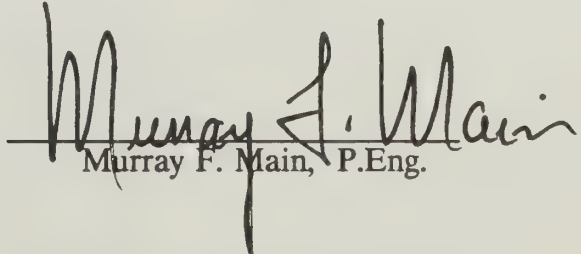
Emming Court - Parking Regulations. [TEC-92-93]

RECOMMENDATION:

- a) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of Emming Court between Delmar Drive and the east end; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$24.00 annual charge for each parking permit will off-set the cost to some degree.


Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a petition signed by representatives of all seven, one, two and three family dwellings abutting Emming Court, requesting that a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of the street. All seven residents are in favour of the requested regulation.

Emming Court, which is a short cul-de-sac street, has a 28 foot pavement width, and presently, there is unrestricted parking on both sides of the street. The resident who circulated the petition has expressed concern regarding long-term non-resident parking by students from Mohawk College. The implementation of the requested regulation would reduce long-term non-resident parking and area residents would be entitled to purchase permits at a cost of \$24.00 per permit each year to exempt their vehicles from the signed time limit regulation. Therefore, since 100 % of the abutting residents are in favour of the requested regulation, the Traffic Department concurs with the request.

ca
CVB/MH/ca



STREET

BENDAMERE

AVENUE

CRESCENT

CRESCENT

DELMAR

DRIVE

EMMING CT

WEST 19th

WOOD

STREET

AVENUE

WEST 18th

BRIARWOOD

BRIARWOOD

BRIARWOOD CR

HUDSON CT

COLUMBIA

DRIVE

SANATORIUM

H/S-58

2(BXiXf)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 16

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

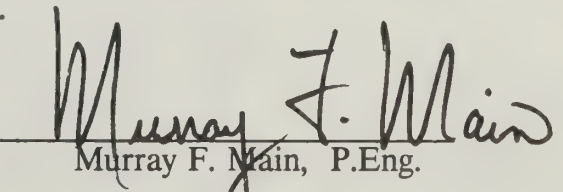
West side of Harmony Avenue between Harrison and Vansitmart Avenues - Parking Regulations [TEC-86-93]

RECOMMENDATION:

- (a) That the existing "No Parking" regulation on the west side of Harmony Avenue between Harrison Avenue and Vansitmart Avenue be replaced with unrestricted parking; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in the 1993 Traffic Department operating budget estimates to cover the cost of removing the subject "No Parking" signs.

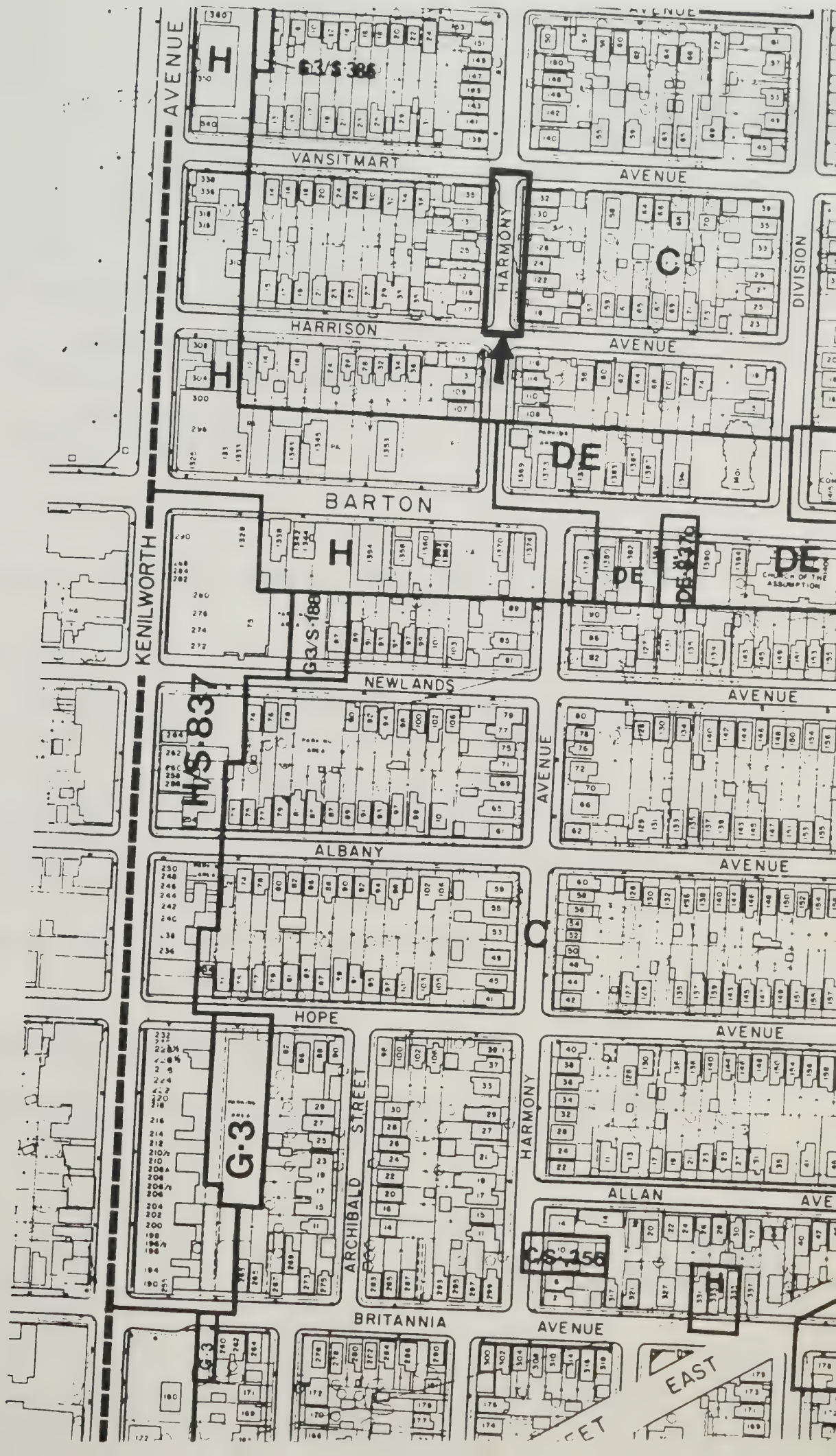

Murray F. Main, P.Eng.

BACKGROUND:

Alderman Dave Wilson recently contacted the Traffic Department respecting the feasibility of allowing parking on one side of Harmony Avenue in the block between Harrison and Vansitmart. Parking has been prohibited on both sides of this section of Harmony since 1977, as a result of a sufficiently signed petition by the abutting residents at that time.

The Traffic Department concurs that a parking prohibition on both sides of a local residential street is generally over-restrictive and unnecessary. Therefore, since Alderman Wilson has advised that a majority of the current residents wish to allow parking on one side of the street, the Traffic Department supports this request. Parking is presently allowed on the west side of the street in the blocks to the north and south, and therefore, it is recommended that unrestricted parking be allowed on the west side and the existing parking prohibition be retained on the east side.

1/11/11
MH/jd



2(0xix9)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 27

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

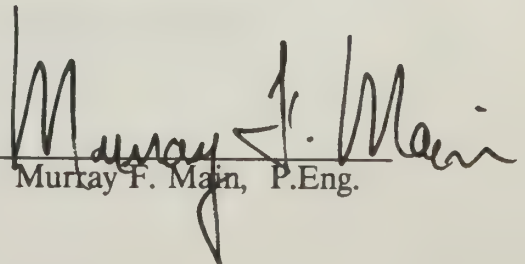
Purnell Drive between Clifton Downs Road and Bentley Place - Parking Regulations.
[TEC-72-93]

RECOMMENDATION:

- a) That a "No Parking" regulation be implemented on the north and west sides of Purnell Drive between Clifton Downs Road (west leg) and Bentley Place; and
- b) That the existing "No Parking" regulation on the east side of Purnell Drive commencing at Clifton Downs Road (north leg) and extending to a point 712 feet southerly therefrom be extended, such that the regulation commences on the south side of Purnell Drive at a point 530 feet east of Clifton Downs Road (west leg) and extends to Clifton Downs Road (north leg); and
- c) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

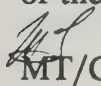

Murray F. Main, P.Eng.

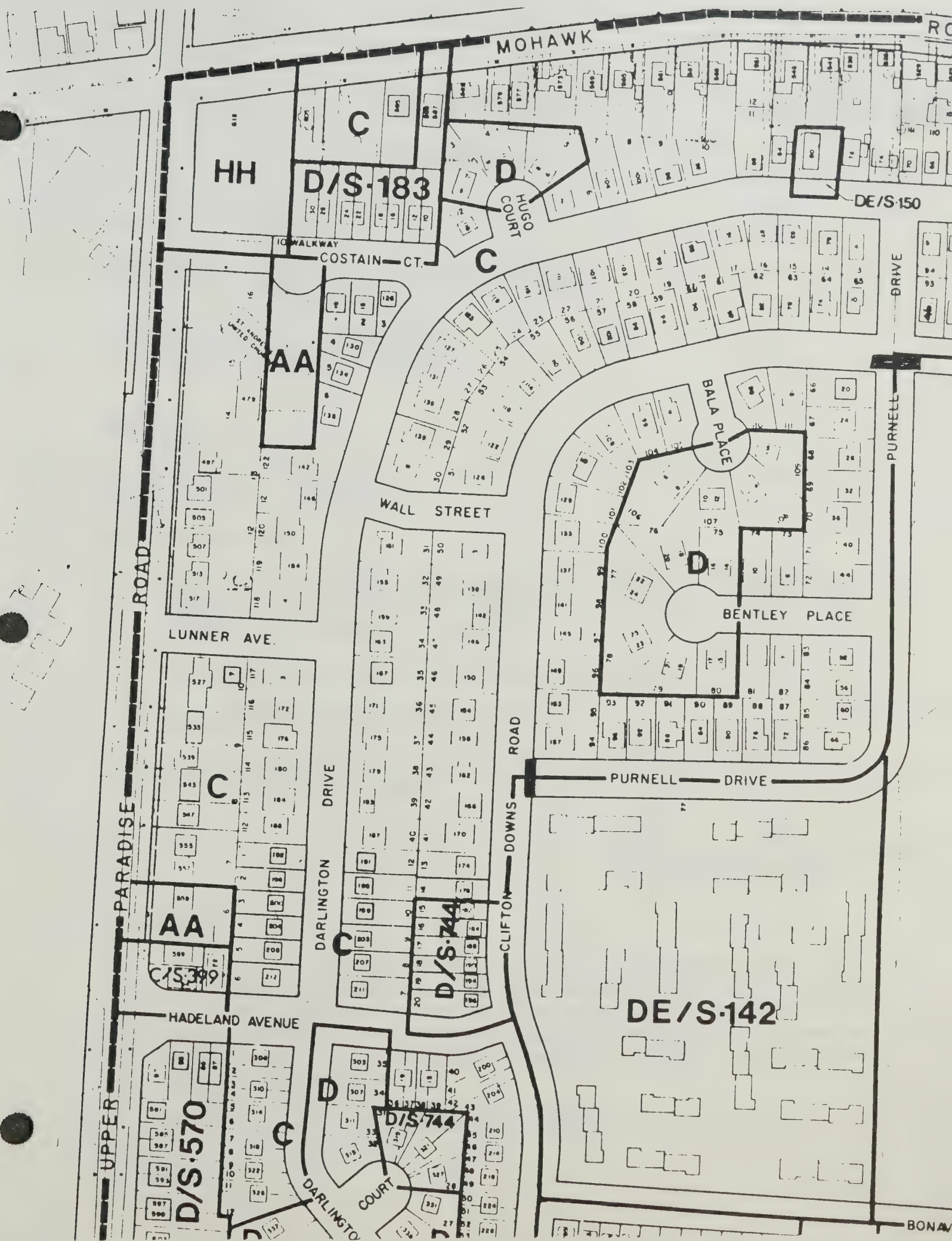
BACKGROUND:

The Traffic Department has received a petition signed by representatives of 10 of the 12 one, two and three family dwellings abutting Purnell Drive between Clifton Downs Road (west leg) and Bentley Place, requesting that a "No Parking" regulation be implemented on the north and west sides of Purnell Drive between Clifton Downs Road (west leg) and Bentley Place and that the existing "No Parking" regulation, east side of Purnell Drive be extended southerly beyond the curve in the street. All 10 of the abutting residents who signed the petition are in favour of the requested regulations.

Purnell Drive has a 28 foot pavement width, and presently, there is unrestricted parking on both sides of the street in this area except for a parking prohibition on the east side of the street, adjacent to the Seneca School property.

The resident who circulated the petition has expressed concerns regarding parking on both sides of the Purnell Drive by residents of the townhouses on the south side of the street and that parked vehicles on the inside of the curve on the street obstruct two-way traffic flow and visibility to some degree. The implementation of the requested regulations would eliminate parking from both the north and west sides of the street in this area and from both sides around the curve of the street and would result in the loss of approximately 13 on-street parking spaces. The removal of parking from the inside of the curve would improve two-way traffic flow and motorists' visibility. Notwithstanding, since the abutting townhouses provide sufficient off-street parking in accordance with the current Zoning By-law and virtually all single residential dwellings have off-street parking available, the Traffic Department does not anticipate any parking inconvenience for area residents. Staff have contacted the resident at No. 66 Purnell Drive, and he has stated that he does not support the requested regulations. However, since 83 percent of the abutting residents are in favour of the requested regulations, the Traffic Department concurs with this request.


MT/CVB/ks



HH

D/S-183

D
HUGO COURT

DE/S-150

AA

WALL STREET

BALA PLACE

BENTLEY PLACE

LUNNER AVE.

DARLINGTON DRIVE

CLIFTON DOWNS ROAD

PURNELL DRIVE

AA

D/S-399

D/S-744

DE/S-142

HADELAND AVENUE

D

D/S-744

D/S-570

DARLINGTON COURT

BONAVILLE DRIVE

2(BXii)A

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 20

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

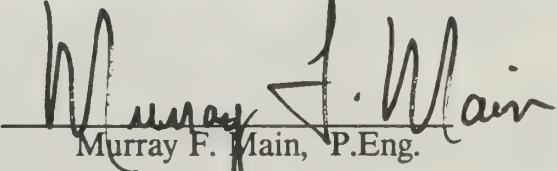
No. 337 Herkimer Street - Request to Remove a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-91-93]

RECOMMENDATION:

- a) That the existing "Permit Parking" regulation on the south side of Herkimer Street commencing at a point 643 feet west of Locke Street South and extending to a point 23 feet westerly therefrom be removed; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

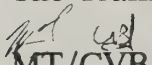
Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of removing the signs.

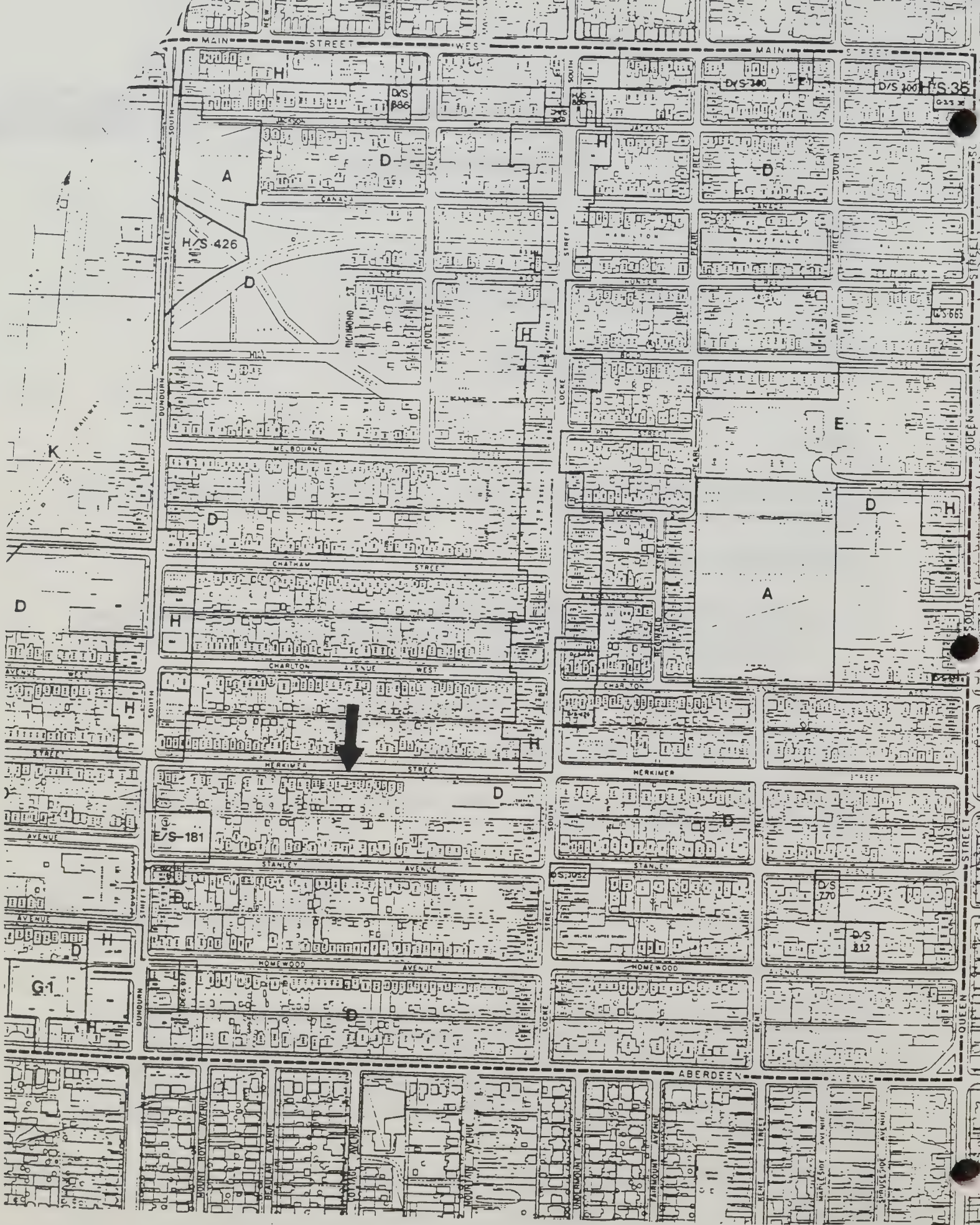

Murray F. Main, P.Eng.

BACKGROUND:

The City Council, on 1990 January 30, approved a request from Mr. Stan Thompson, No. 337 Herkimer Street, to designate a reserved "Permit Parking" space on the street in front of his home as he is disabled. However, Mr. Thompson has recently advised that he will be moving on 1993 May 15, and has requested that the "Permit Parking" regulation be removed. The removal of the "Permit Parking" regulation will restore one unrestricted parking space to the street in this area.

The Traffic Department has reviewed this matter and concurs with this request.


MT/CVB/ks



2 (B)(i)(b)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 15

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

No. 182 Weir Street North - Request for a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-83-93]

RECOMMENDATION:

- a) That a "Permit Parking" regulation be implemented on the east side of Weir Street North commencing at a point 186 feet south of Britannia Avenue and extending to a point 22 feet southerly therefrom; and
- b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Edwards, No. 182 Weir Street North; and
- c) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$12.00 annual charge for the parking permit will off-set the cost to some degree.


Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a request from Mr. Graham Edwards, No. 182 Weir Street North, that a reserved "Permit Parking" space be designated on the east side of Weir Street North in front of his home since his wife is disabled.

Weir Street North has a 24 foot pavement width, and presently, there is unrestricted parking on the east side and a "No Parking" regulation on the west side of the street in this area.

The City Council, on 1987 December 08, approved a policy to allow for the implementation of individual reserved "Permit Parking" spaces in front of disabled residents homes. This policy requires, in part, that the applicant possess a valid disabled permit issued by the Ministry of Transportation. The Traffic Department has confirmed that Mr. Edwards' wife possesses a valid permit. An investigation has revealed that there is no suitable alternative parking area available on the private property. Therefore, the Traffic Department concurs with the request.

MT. CVB
MT/CVB/ks



2(B)(ix)(c)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 15

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

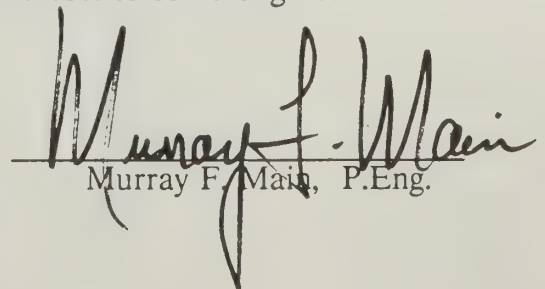
No. 162 London Street South - Request for a Reserved "Permit Parking" Space for a Disabled Resident. [TEC-82-93]

RECOMMENDATION:

- a) That a "Permit Parking" regulation be implemented on the west side of London Street South commencing at a point 68 feet south of Montclair Avenue and extending to a point 19 feet southerly therefrom; and
- b) That a "Permit Parking" regulation be implemented on the east side of London Street South commencing at a point 77 feet south of Montclair Avenue and extending to a point 18 feet southerly therefrom; and
- c) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. McMillan, No. 162 London Street South; and
- d) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs. However, the \$12.00 annual charge for the parking permit will off-set the cost to some degree.


Murray F. Main, P.Eng.

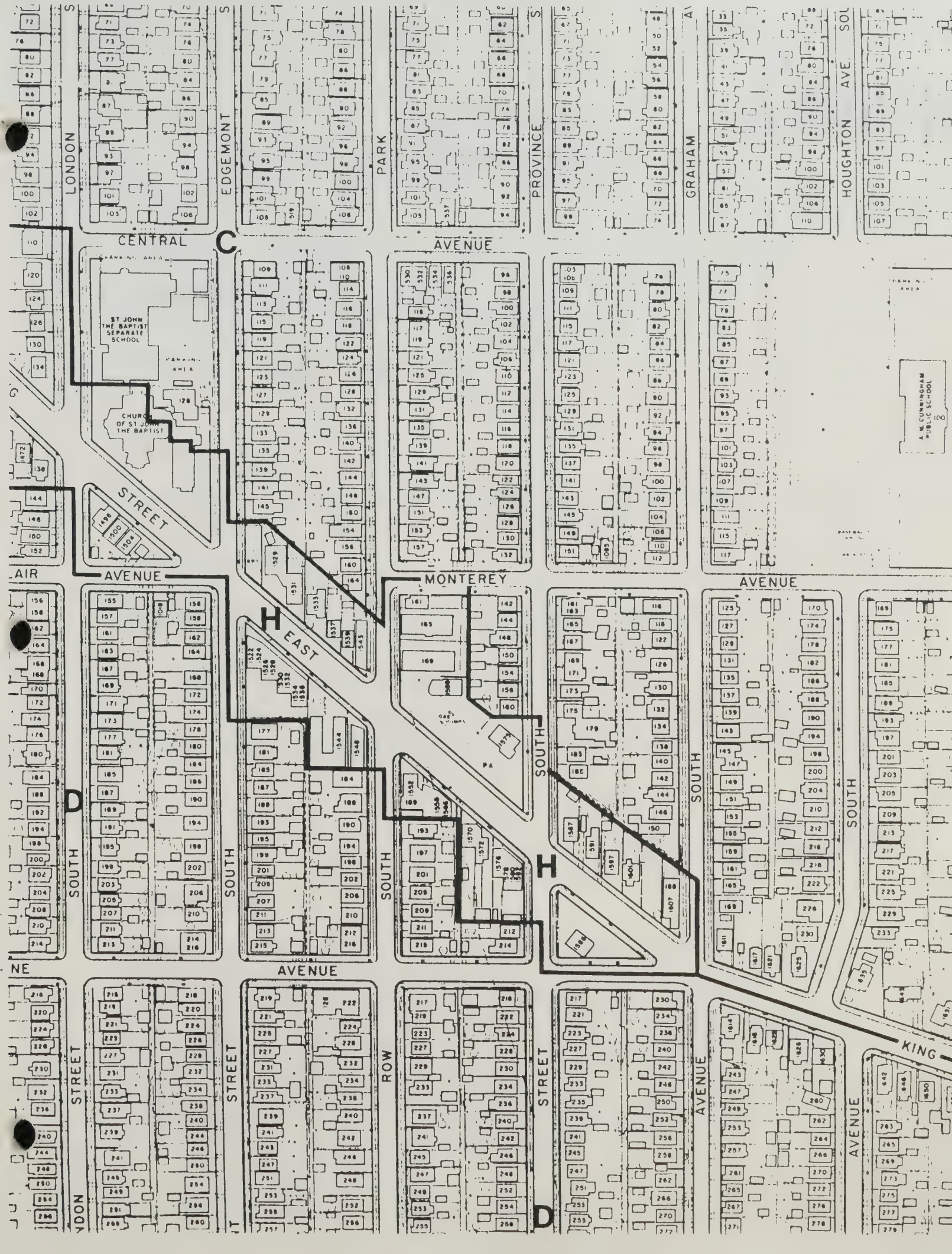
BACKGROUND:

The Traffic Department has received a request from Mrs. McMillan, 162 London Street South, that a "Permit Parking" regulation be implemented on the west side of London Street South directly in front of her home since she is disabled.

London Street South has a 30 foot pavement width, and presently, there is an "Alternate Side Parking" regulation on both sides of the street in this area. Therefore, normal practice is to designate a reserved "Permit Parking" space on both sides of the street. The Traffic Department has contacted Mrs. Adamatis, No. 161 London Street South and she has advised that she supports the implementation of the requested regulation in front of her property.

The City Council, on 1987 December 08, approved a policy to allow for the implementation of individual reserved "Permit Parking" spaces in front of disabled residents homes. This policy requires, in part, that the applicant possess a valid disabled permit issued by the Ministry of Transportation. The Traffic Department has confirmed that Mrs. McMillan possesses a valid permit. An investigation has revealed that there is no suitable alternative parking area available on the private property. Therefore, the Traffic Department concurs with the request.


MT/CVB/ks



26XiiiXa

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 29

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

RECEIVED
CITY CLERKS

SUBJECT:

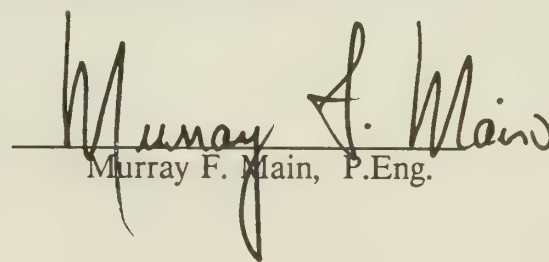
Relocation of the School Crossing Guard from Cumberland Avenue and Sherman Avenue to Cumberland Avenue and Norway Avenue. [TEC-73-93]

RECOMMENDATION:

That the School Crossing Guard at the intersection of Cumberland Avenue and Sherman Avenue be relocated to the intersection of Cumberland Avenue and Norway Avenue.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are sufficient funds available in the 1993 Traffic Department operating budget estimates to relocate the necessary signs and pavement markings.

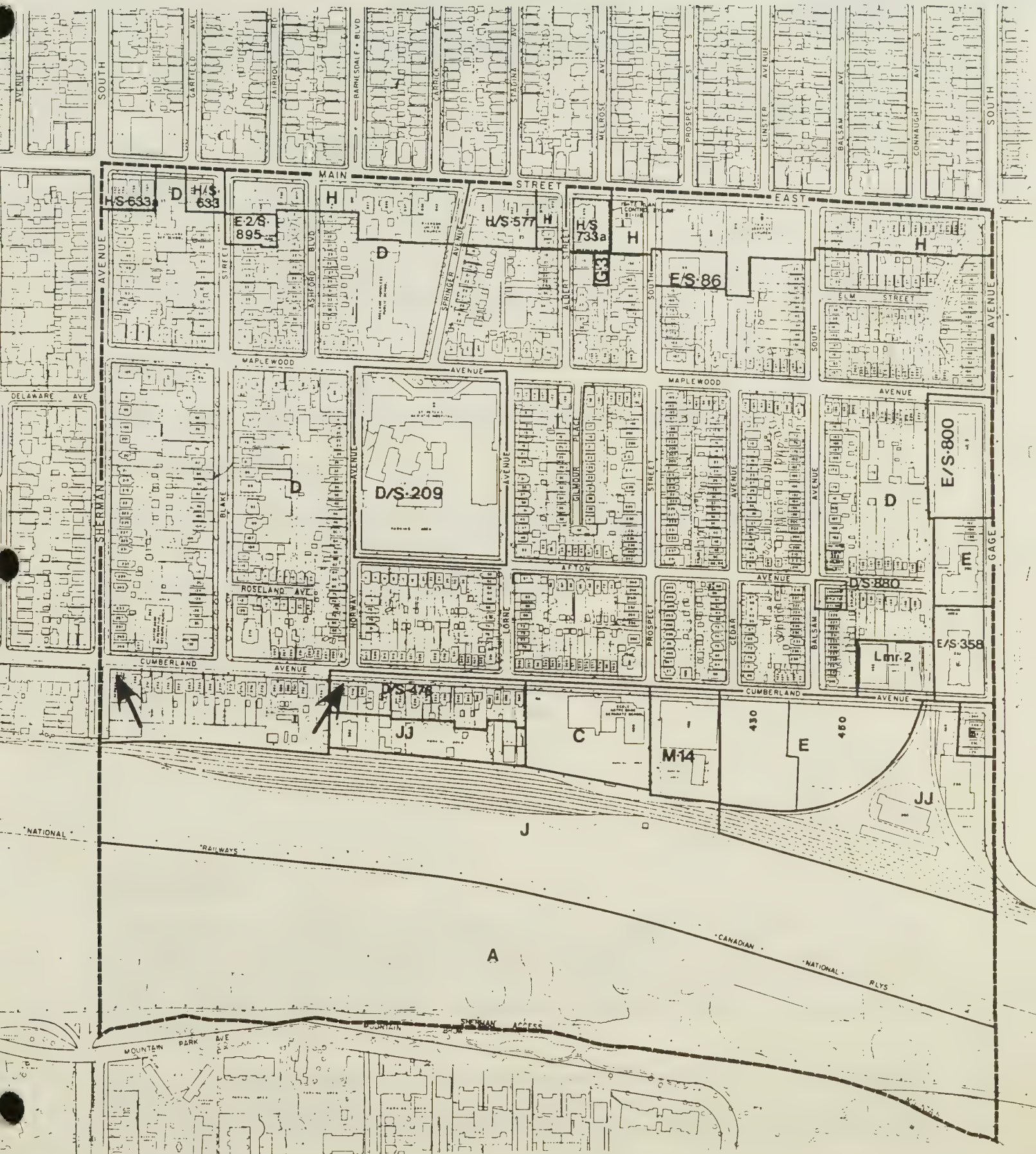

Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has reviewed conditions at the School Crossing Guard location at the intersection of Cumberland Avenue and Sherman Avenue. Currently, there are approximately 35 children per day crossing Cumberland Avenue with the School Crossing Guard at Sherman Avenue. However, it was also observed that approximately 24 children per day cross Cumberland Avenue within two blocks east of this School Crossing Guard location. These children include students from both St. Columba School and Adelaide Hoodless School. Relocating the School Crossing Guard two blocks easterly would allow 53 of the 59 children crossing Cumberland Avenue to do so with the assistance of the School Crossing Guard.

The existing location of the School Crossing Guard is currently controlled by an all-way stop. Observations have determined that the observance of the stop signs by motorists is excellent. The relocation of the School Crossing Guard easterly two blocks will provide better crossing protection for all children crossing Cumberland Avenue. The six children who will not use the guard at the new location will cross with the protection of the all-way stop while the 24 children now crossing unprotected will have the benefit of the School Crossing Guard. Therefore, the Traffic Department recommends that the School Crossing Guard at Cumberland Avenue and Sherman Avenue be relocated to the intersection of Cumberland Avenue and Norway Avenue. Simultaneous to this relocation, personnel from the School Crossing Office will attend the former crossing location to re-route most of the students to the new location, and to instruct the remaining children on how to cross at the all-way stop.


TA/MH/ks



2(B)(iii)(b)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 15

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

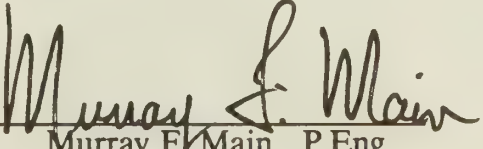
Barton Street East and Nash Road - School Crossing Guard. [TEC-60-93]

RECOMMENDATION:

That the School Crossing Guard service be discontinued during the lunch hour period at the signalized intersection of Barton Street East and Nash Road.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The reduction in hours of this school crossing location will result in a savings of approximately \$2,200.00 per year. The current School Crossing Guard at this location has requested relocation to a crossing which does not involve duty times at the lunch hour and therefore, agrees with the reduced hours of work.



Murray F. Main, P.Eng.

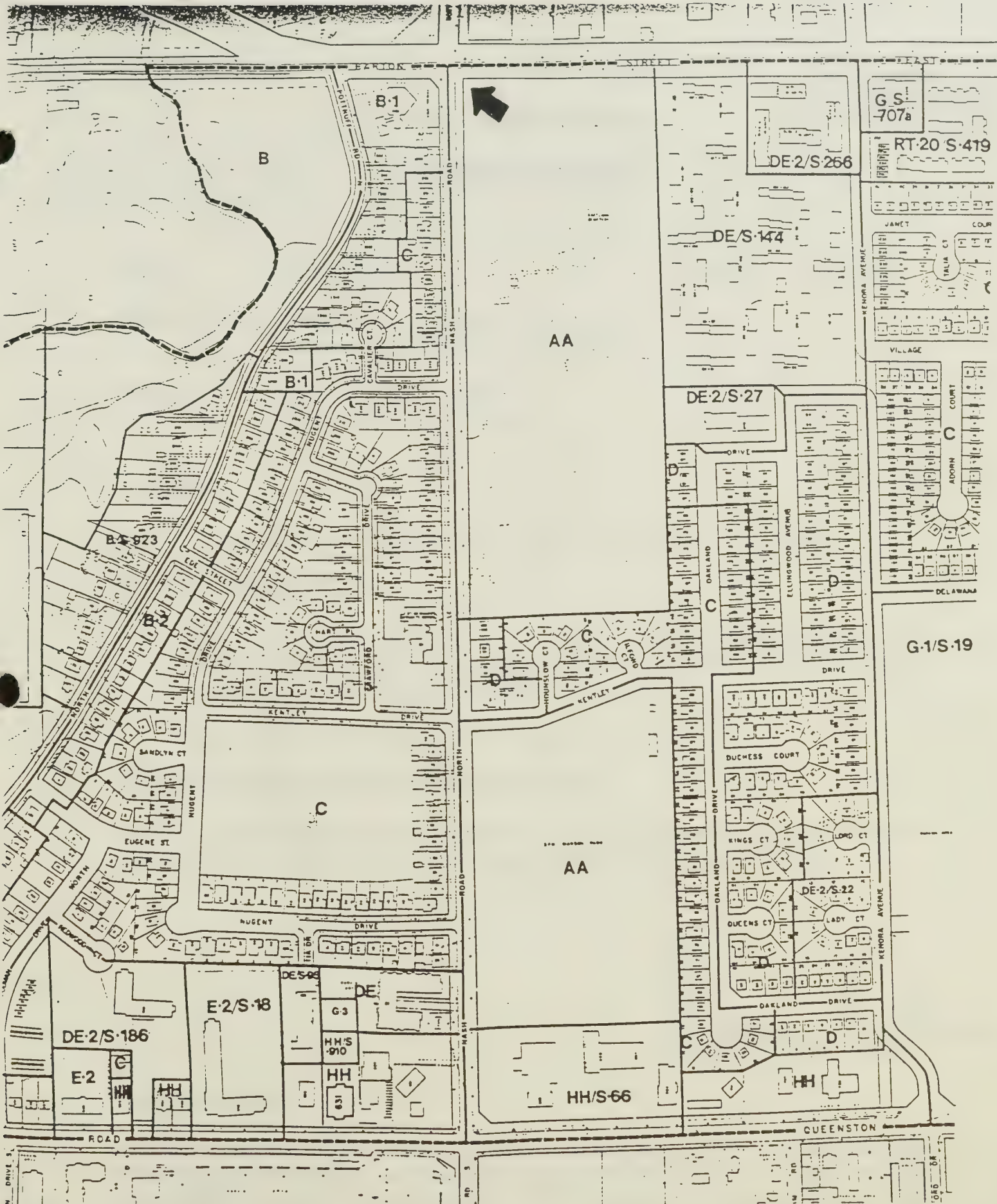
BACKGROUND:

Routine observations by the Traffic Department have identified that no children cross with the School Crossing Guard at Barton Street East and Nash Road during the lunch periods. These observations have been discussed with the individual who works at the location and she has confirmed that no children cross with her assistance during the lunch hour on a regular basis.

Staff have written to Hillsdale and Hillcrest Schools whom have children using this crossing. The Principals acknowledge that they have no children using this crossing during the lunch hour and have no objection to removing the School Crossing Guard during the lunch hour crossing period.

As a result of observations by staff and comments from the School Crossing Guard and effected schools, the Traffic Department recommends that the crossing times be changed to eliminate the lunch hour periods.


TA/MH/ks



2(BXiv)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 06

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

RECEIVED

APR 29 1993

CITY CLERKS

SUBJECT:

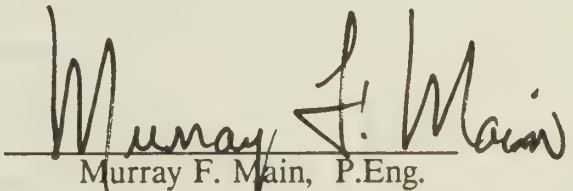
No. 39 Cheever Street - Request for a Wheelchair Loading Zone. [TEC-66-93]

RECOMMENDATION:

- a) That a "No Stopping, Wheelchair Loading Only" regulation be implemented on the west side of Cheever Street commencing at a point 245 feet south of Birge Street and extending to a point 20 feet southerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.

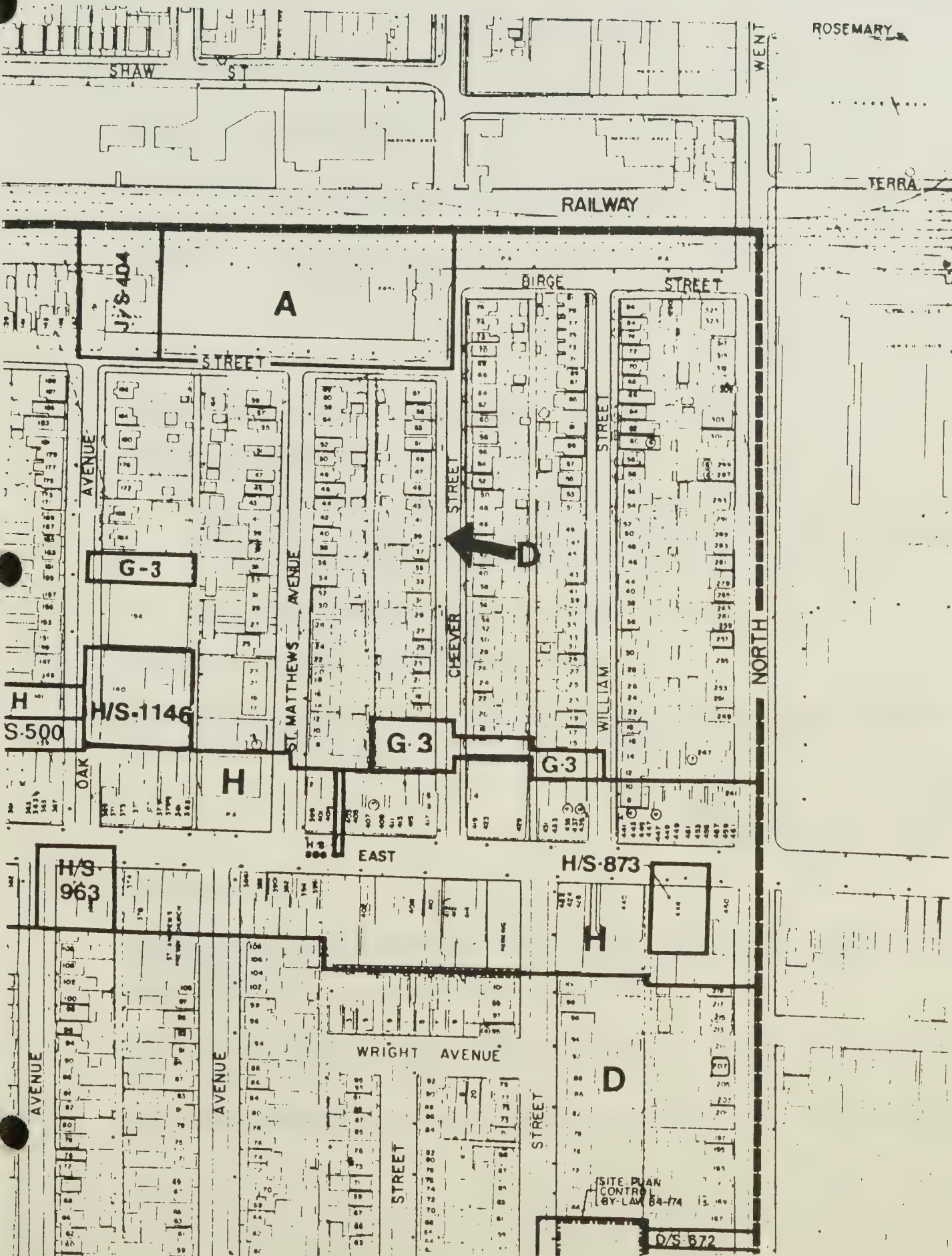

Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a request from Mr. Shoesmith, 39 Cheever Street, that a "No Stopping, Wheelchair Loading Only" regulation be designated on the west side of the street directly in front of his home since his wife is disabled and requires the use of taxis.

Cheever Street has a 28 foot pavement width, and presently, there is an "Alternate Side Parking" regulation on the street in this area. The implementation of the requested regulation would result in the loss of only one legal on-street parking space directly in front of the applicant's property. However, since virtually all of the area residents have access to off-street parking via the alley at the rear of their properties, staff do not anticipate any parking problems for area residents and concur with the request.

MT CVB
MT/CVB/ks



2(B)(v)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1993 April 14

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

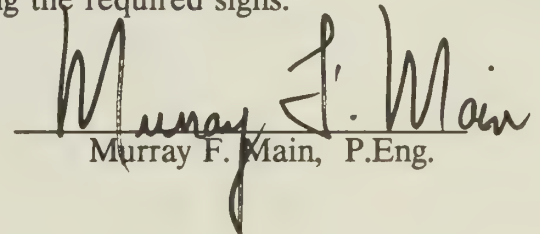
60 Ewen Road - Request for a Driveway Clearance. [TEC-85-93]

RECOMMENDATION:

- a) That a "No Parking 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of Ewen Road commencing at a point 276 feet south of Ofield Road and extending to a point 67 feet southerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.


Murray F. Main, P.Eng.

BACKGROUND:

The Traffic Department has received a request from Mr. Ron Boecher, proprietor of The Futon Shop, 60 Ewen Road that parking be prohibited between the two driveways to his business in order to facilitate truck turning movements.

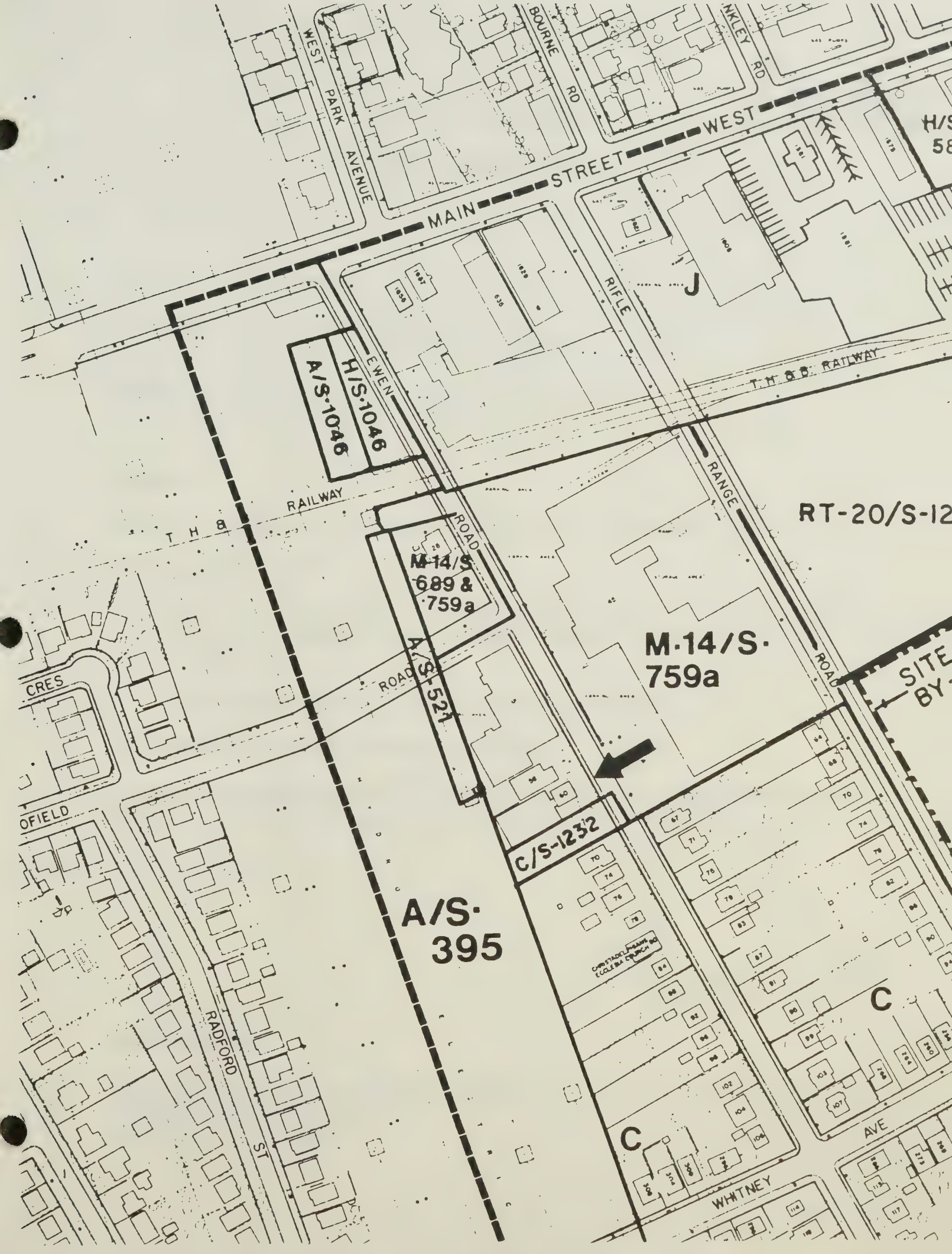
Ewen Road has a 30 foot pavement width, and presently, parking is prohibited on the east side and there is unrestricted parking on the west side of the street in this area.

The Traffic Department has confirmed that when vehicles are parked between these two

driveways, turning movements into and out from his business are significantly obstructed. Therefore, the Traffic Department concurs with the request.

The implementation of the requested regulation will result in a loss of only one legal on-street parking spaces directly in front of his business. However, since the applicant has agreed to limit the hours of the regulation such that the space will be available for parking after 6:00 p.m. on weekdays and all day on weekends, the Traffic Department does not anticipate any parking difficulties for area residents.

^{cd}
CVB/ca



A/S-1046
H/S-1046

M-14/S-
689 &
759a

M-14/S-
759a

C/S-1232

A/S-
395

SITE
BY-

2(BX(vi))

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 15

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

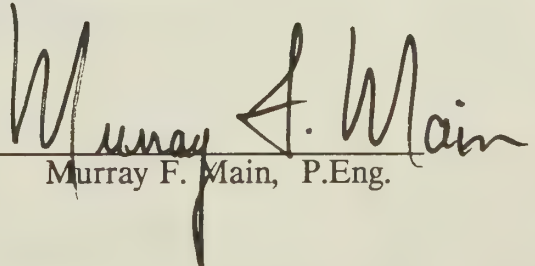
Intersection of Edgewood Avenue and High Street - Corner Clearance. [TEC-80-93]

RECOMMENDATION:

- a) That a "No Parking" regulation be implemented on the north side of Edgewood Avenue, commencing at High Street and extending to a point 55 feet westerly therefrom; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of manufacturing, erecting and maintaining the required signs.


Murray F. Main, P.Eng.

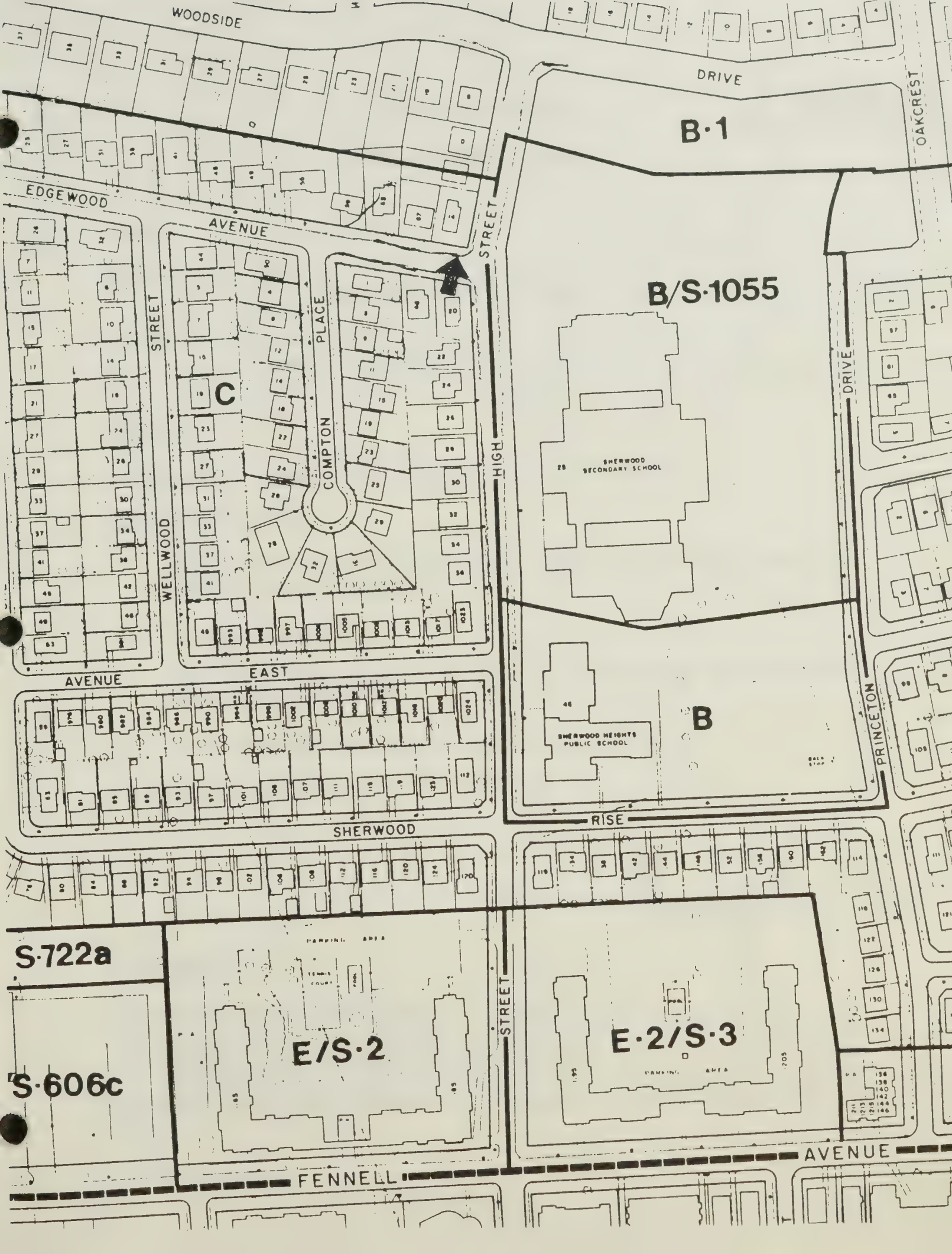
BACKGROUND:

Alderman Tom Jackson has advised of concerns from Mrs. Marilyn Wear, 44 Edgewood Avenue, regarding the need for a corner clearance on the north side of Edgewood Avenue immediately west of High Street.

Edgewood Avenue has a 28 foot pavement width, and presently, there is unrestricted parking on both sides of the street except for a 50 foot "No Parking" regulation on the south side, west of High Street. Mrs. Wear has expressed concern that when vehicles are parked on the north side of Edgewood Avenue, west of High Street, turning movements for vehicles on High Street attempting to turn west onto Edgewood Avenue are obstructed to some degree.

It is not the Traffic Department's normal practice to erect corner clearances such that a parking prohibition would occur on both sides of the street. However, the implementation of the requested regulation will result in a loss of only one legal on-street parking space immediately adjacent to 14 High Street, and this resident has advised that he supports the proposed regulation. Therefore, since there is unrestricted parking on both sides of the street for the remainder of the block and since virtually all residents in this area have available off-street parking, the Traffic Department does not anticipate any parking difficulties for area residents and has no objection to this request.


MT/CVB/ks



DRIVE

B-1

OAKCREST

EDGEWOOD

AVENUE

STREET

WELLWOOD

COMPTON

C

HIGH

B/S-1055

SHERWOOD
SECONDARY SCHOOL

DRIVE

PRINCETON

AVENUE

EAST

B

SHERWOOD HEIGHTS
PUBLIC SCHOOL

BUS STOP

RISE

SHERWOOD

S-722a

E/S-2

E-2/S-3

S-606c

FENNELL

AVENUE

2(B)(vii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 March 24

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

Burlington Route - New Bus Stop on Glow Avenue. [TEC-76-93]

RECOMMENDATION:

- a) That in accordance with the request by the Hamilton Street Railway Company the following new bus stop be approved:

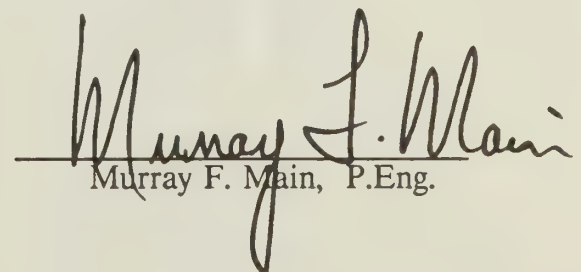
Route 53 Burlington

Westbound - Glow Avenue, north side, 26 feet east of the east curb line of Dunn Avenue (N/S); and

- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

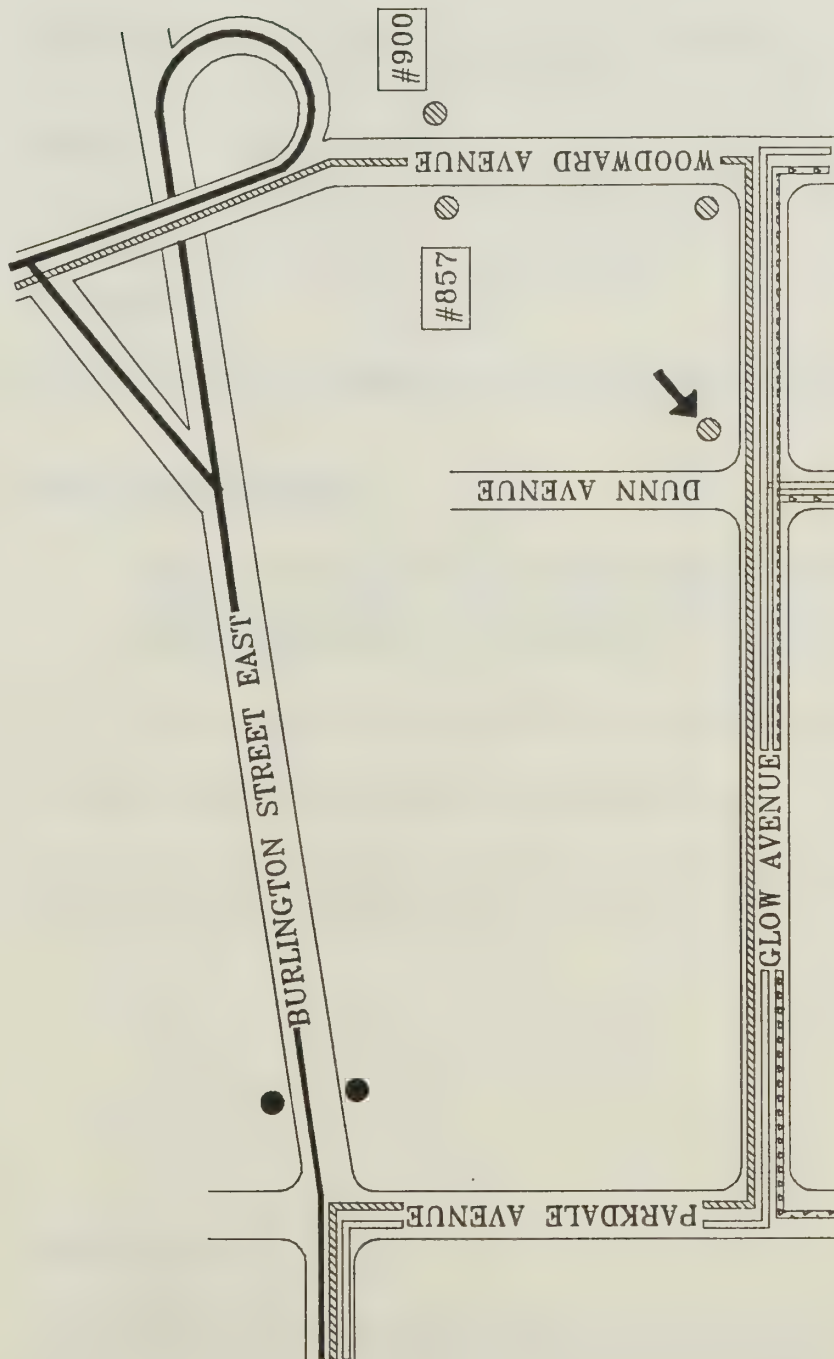

Murray F. Main, P.Eng.

BACKGROUND:

The Hamilton Street Railway Company has requested permission to establish one new bus stop on Glow Avenue. The new bus stop is being requested in conjunction with other new bus stops, bus routing, and bus stop deletions for this transit route on Regional roads in this area. The proposed bus stop on Glow Avenue, as well as the overall route changes, are intended to provide better transit service to the residential and commercial properties in the area.

The proposed bus stop is satisfactory from a traffic point of view. There will be no loss of on-street parking since the new bus stop will be located in an area presently signed "No Stopping". Therefore, staff concur with the request.


MT/CVB/ks



LEGEND

- EXISTING ROUTE 53 BURLINGTON
- PROPOSED ROUTE 53 BURLINGTON
- EXISTING ROUTE 4 BAYFRONT
- EXISTING ROUTE 11 PARKDALE
- BUS STOPS TO BE REMOVED
- ⊙ PROPOSED ADDITIONAL BUS STOPS

HAMILTON STREET RAILWAY
TRANSPORTATION SERVICES
PLANNING & DESIGN

TITLE:

PROPOSED ROUTE 53 BURLINGTON
ROUTE REALIGNMENT

930303	N.T.S.	BURLING	1
--------	--------	---------	---

2(B)(viii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 February 11

REPORT TO: Mr. Kevin C. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. M. F. Main, P. Eng.
Director of Traffic Services

SUBJECT:

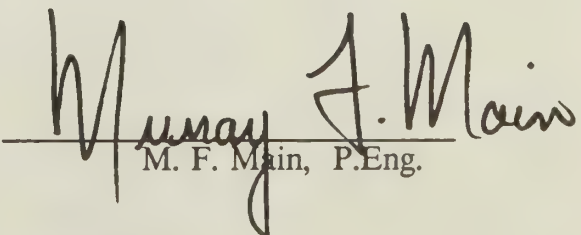
East Side of Huxley Avenue North, North of Main Street East - Parking Meters. [TEC-48-93]

RECOMMENDATION:

- a) That the existing "One Hour Metered Parking" regulation on the east side of Huxley Avenue North commencing at Main Street East and extending to a point 95 feet northerly therefrom be replaced with a "Two Hour Metered Parking" regulation; and
- b) That the City Traffic By-law 89-72 be amended accordingly.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are provided in the 1993 Traffic Department operating budget estimates to cover the cost of modifying the subject meters.

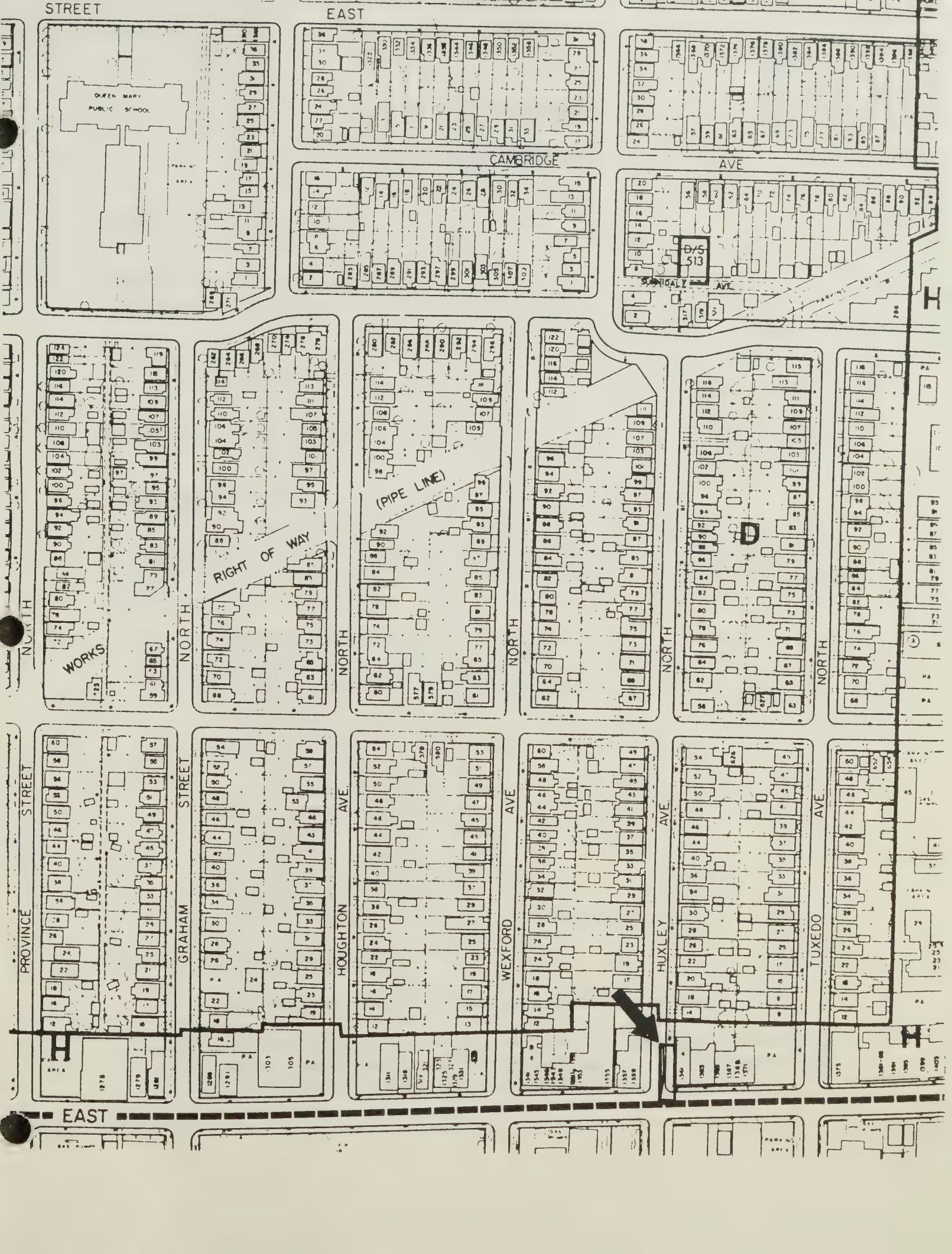

M. F. Main, P.Eng.

BACKGROUND:

The Parking Authority has forwarded a letter dated 1993 January 15, from Dr. Peter A. Syred, No. 1361 Main Street East, requesting that the existing "One Hour Metered Parking" regulation on Huxley Avenue North be replaced with a "Two Hour Metered Parking" regulation.

Dr. Syred has a dental practice at this location and the parking meters on Huxley Avenue are adjacent to his office. He has stated in his letter that his patients require additional time for parking during office visits. The Traffic Department has no objection to replacing the existing "One Hour Metered Parking" regulation with a "Two Hour Metered Parking" regulation.


MT/CVB/ks



2(c)(i)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 23
T103 23 (6) J. K. Clairmont

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director
Roads Department

SUBJECT: Boy Scout/Girl Guide Parade
May 29, 1993

RECEIVED

APR 24 1993

CITY CLERKS

RECOMMENDATION:

That the application of L. Ellis, agent for the Boy Scouts of Canada (375 James Street South, Hamilton L8P 3B9) to temporarily close the following City Streets, on Saturday May 29, 1993, from 8:00 am to 12:00 noon, for the annual Boy Scout/Girl Guide Parade be approved,

Devonport Street from York and Tom
Strathcona Avenue from York and Tom
Inchbury Street from York and Florence
Locke Street from York and Florence
Pearl Street from York and Florence
Ray Street from York and Florence
Peter Street from Ray to Hess
Napier Street from Ray to Queen
Market Street from Ray to Hess
George Street from Ray to Hess
Hess Street from Jackson to King
Caroline Street from Jackson to King
MacNab Street from Main to Hunter
Jackson Street from MacNab to City Hall parking lot

subject to the following conditions:

- i) That approval from Regional Police Services be received;
- ii) That the applicant provide proof of \$2,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region

Cont'd...

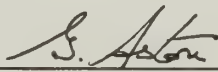
1993 April 23

Boy Scout/Girl Guide Parade

Cont'd...

and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

- iii) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- iv) That all barricading be supplied by and at the expense of the applicant;
- v) That temporary road closure signs be installed in advance by the City of Hamilton, Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
- vi) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
- vii) That no property owner or resident within the barricaded area be denied access to their property upon request;
- viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.


r E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

A request has been received from L. Ellis, agent for the Boy Scouts of Canada, to hold a parade in Hamilton on Saturday May 29, 1993 from 8:00 am to 12:00 noon. The route requires a full closure of the south leg of York Boulevard, from Queen to Dundurn, Queen Street from York to Main, Main Street from Queen to MacNab, MacNab Street from Main to Hunter and Jackson Street from MacNab to City Hall parking lot for dispersement. In conjunction with these large closures, it will be necessary to close portions of the smaller side streets in between. These streets include Devonport, Strathcona, Inchbury, Locke, Pearl, Ray, Napier, Peter, Market, George, Hess, Caroline, Bay, MacNab and Jackson.

cont'd...

Boy Scout/Girl Guide Parade

Cont'd...

Regional Council on April 7, 1992 approved the Policy for Special Events on Regional Roads which specifies that all events requiring a full road closure in the City of Hamilton downtown core (bounded by and including Bay Street, Wellington Street, Wilson Street and Main Street) be held on Sundays or holidays unless approved by Council at least eight weeks prior to the event. However, Council did make provision for events felt to be in the interest of the community. Provided a report is submitted by this Department indicating that the applicant is unable to move the event to an alternate day, approval may be granted for Saturday events.

The Boy Scouts of Canada received permission from Regional Council on April 7, 1992, to hold the parade on Saturday through a report submitted by this Department. The Boy Scouts indicated, that moving the parade to a Sunday was contrary to the Boy Scout philosophy of considering Sunday the Lords Day and therefore were unable to move the parade day. This year permission was once again granted at Regional Council of May 4, 1993.

Regional Police Services inform us that their costs for this event are \$3,368.00 to provide 24 Officers and 1 Sergeant to ensure the event is properly controlled. The Hamilton Street Railway cost of \$2709.92 is for a newspaper ad, 5 additional buses and 5 Inspectors. The City of Hamilton Traffic Department costs of \$1104. are for the installation of 5 "Temporary Road Closure" signs and the bagging of parking meters.

Since the affected departments have indicated support for this event with the revised route and since it will not impact as greatly on the downtown area, this Department supported the request.

 JKC:

cc: M. Main, Director of Traffic Services
cc: Staff Sgt. Heddle, Regional Police, Traffic Division
cc: D. Lobo, Director, Public Works Department

2(c)(ii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 19
S723-62 P. Strong

R-93-37

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

RECEIVED

FROM: E. M. Gill, P. Eng.
Senior Director

CITY CLERKS

SUBJECT: 1993 Servicing Expenditures Related to Subdivisions

RECOMMENDATION:


- a i) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in;

" WISEMOUNT ESTATES - PHASE 3 ", Hamilton


City's Share \$16,688.15 Subdivider's Share \$252,689.68

- ii) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Wisemount Estates - Phase 3", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.
- iii) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- iv) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
- b) That the City's share for the costs of services in "Wisemount Estates - Phase 3" (\$16,688.15) be approved and the Finance and Administration Committee recommend the source of funding for this project.

cont'd...



E. M. Gill, P. Eng.



1993 April 19

1993 Servicing Expenditures Related to Subdivisions

cont'd...

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

" WISEMOUNT ESTATES - PHASE 3 ", HAMILTON

The total estimated costs of the City's share of services to be approved at this time for this development is \$16,688.15.

The City's share of costs (\$16,688.15) is associated with extra depth asphalt which is to installed on Lockheed Drive and is non-recoverable in the future.

The estimate for the cost sharing between the City and the owner is in accordance with current City policy. (see Schedule "A")

BACKGROUND:

" WISEMOUNT ESTATES - PHASE 3 ", HAMILTON

At its meeting of September 27, 1983 City Council approved the draft plan for Wisemount Forest Survey Phase III, now known as Wisemount Estates. The owner, 822827 Ontario Inc. wishes to proceed with the development of Wisemount Estates - Phase 3 at this time. One of the conditions of draft plan approval requires the owner to enter into a Subdivision Agreement with the City of Hamilton in order to satisfy engineering and financial requirements of the City. The Development of Wisemount Estates - Phase 3 will result in the creation of 28 single family lots for residential use. A copy of the Final Plan of Subdivision has been attached for information.

The total estimated costs of the City's share of services to be approved at this time for this development is \$16,688.15. The City's share of costs (\$16,688.15) is associated with extra depth asphalt which is to installed on Lockheed Drive and is non-recoverable in the future.

The estimate for the cost sharing between the City and the owner is in accordance with current City policy. (see Schedule "A")

The lands of Wisemount Estates - Phase 3 are located west of Upper Kenilworth Avenue between Landron Avenue and Limeridge Road East in the Lisgar Neighbourhood.

PS

cc: A. C. Ross, City Treasury Department
cc: M. Watson, Real Estate Division, City Property
cc: Councillor D. Ross, Chairman, Fin. & Administration Committee
cc: S. Reeder, Secretary, Fin. & Adm. Com.

T&E/Disc/PS

1993 SUBDIVISION EXPENDITURE SUMMARY

Page 1 of 1

CITY'S SHARE OF EXPENDITURES

SCHEDULE "A"

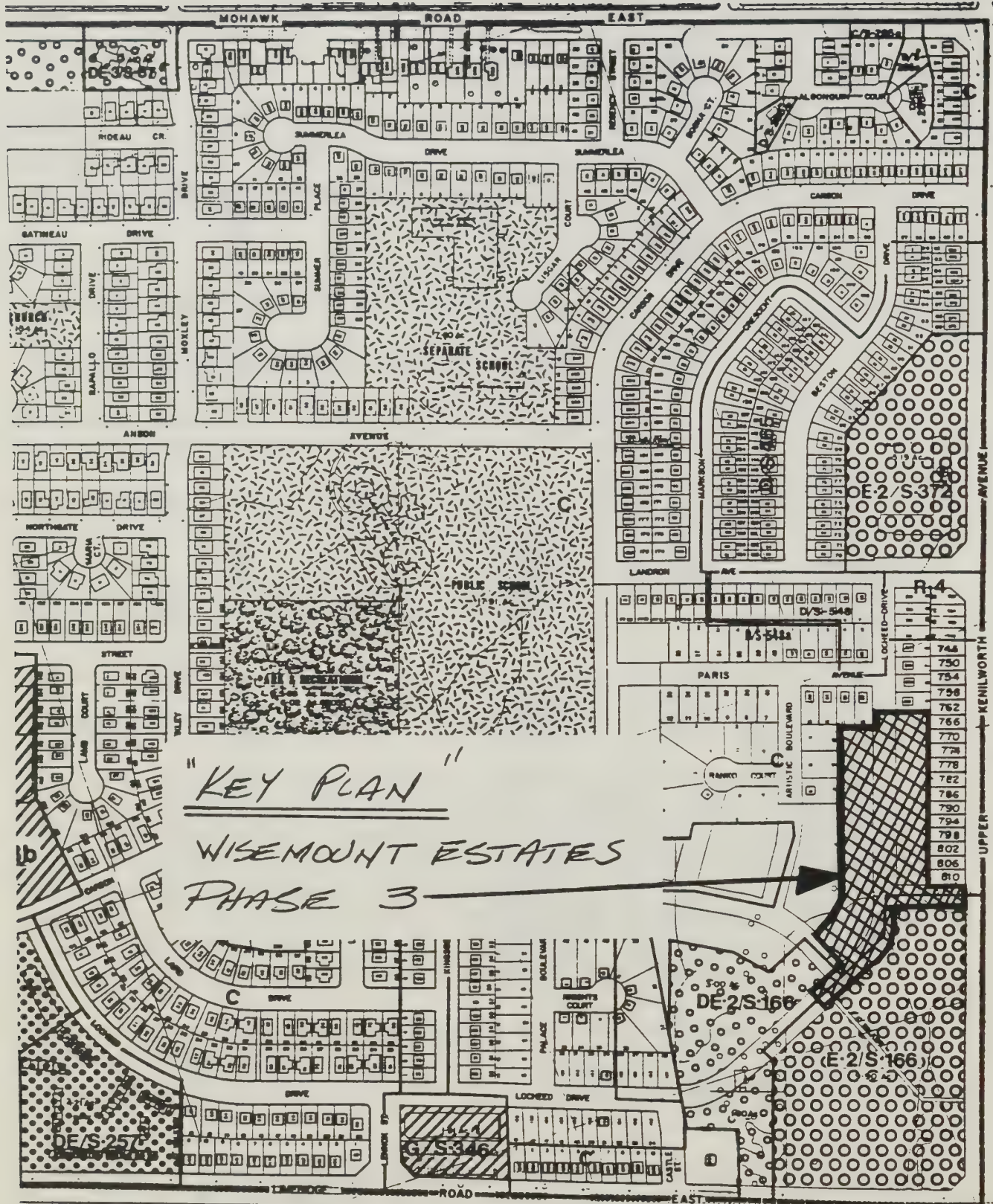
Name Of:
SUBDIVISION
DEVELOPER
CONSULTANT
SURVEYOR

# OF LOTS AND LOCATION	SUBDIVISION AGREEMENT AUTHORIZATION OF WORKS	DESCRIPTION OF WORKS	0.3 METRE RESERVE COSTS	NON-RECOVERABLE & OVERSIZED COSTS	TOTAL CITY'S SHARE	TOTAL SUBDIVIDER'S SHARE	TOTAL SERVICING COSTS
28 LOTS Hamilton	Item 4(b) P & D 19-83	Catch Basins & Connections Curbs & Sidewalks Finished Roads Dead End Barricade Street Lighting	\$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00 \$ 0.00	\$ 0.00 \$ 0.00 \$ 16,688.15 \$ 0.00 \$ 0.00 \$ 0.00	\$ 0.00 \$ 0.00 \$ 16,688.15 \$ 0.00 \$ 0.00 \$ 0.00	\$ 0.00 \$ 0.00 \$ 16,688.15 \$ 0.00 \$ 0.00 \$ 0.00	\$ 0.00 \$ 0.00 \$ 16,688.15 \$ 0.00 \$ 0.00 \$ 0.00
						\$252,689.68	\$269,377.83

TOTALS:

\$ 0.00	\$ 16,688.15	\$ 16,688.15	\$252,689.68	\$269,377.83
---------	--------------	--------------	--------------	--------------

- OVERSIZING EXPENDITURES are Non-Recoverable
- 0.30 METRE RESERVE EXPENDITURES are Fully Recoverable



LAND USE

RESIDENTIAL



- single & double
- attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments



COMMERCIAL



INDUSTRIAL



CIVIC & INSTITUTIONAL



PARK & RECREATIONAL



OPEN SPACE



UTILITIES

CITY OF HAMILTON
PLANNING DEPARTMENT

LISGAR

APPROVED PLAN



2(c)(iii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: April 15, 1993

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P.Eng.
Senior Director
Roads Department

RECEIVED

APR 16 1993

CITY CLERKS

SUBJECT:

Incorporating certain City lands into various streets by By-Law.

RECOMMENDATION:

- a) That the following City lands be incorporated into the street as noted in Schedule 'A':
- | | | |
|--------------|--------------|----------------|
| Elite Drive | Part 2 | Plan 62R-12045 |
| Acadia Drive | Parts 9 & 12 | Plan 62R-11096 |
| Acadia Drive | Block 29 | Plan 62M-644 |
- b) That the By-Law attached to this report to carry out the incorporation of the said lands into the foregoing street be enacted by Council.
- c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Law.



E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

Cont'd...

Cont'd...

BACKGROUND:

To complete the final street width or provide access to newly registered subdivision developments it is necessary to incorporate City lands into the road allowance as indicated below.

SCHEDULE "A"

<u>Incorporating into Street Name</u>	<u>Description of Lands being Incorporated</u>	<u>Financial Implications</u>	<u>Reason for being Incorporated</u>	<u>File No.</u>
Elite Drive	Part of Lot 10, Con.8 (former geographic Township of Barton) designated as Part 2, Plan 62R-12045	N/A	To provide access and hook-up be- tween Elite Drive (as established by City of Hamilton By-Law No. 92-042) and Elite Drive as established by Plan 62M-715	S718-67
Acadia Drive	Part of Lots 6 & 7, Registered Plan 909, designated as Parts 9 and 12, Plan 62R- 11096 (respectively)	N/A	To provide access from Parts 25 and 27, Plan 62R-11096 to Acadia Drive as established by City of Hamilton By-Law No. 91-8, Registered as Instrument No. 074591 (new)	S610-03

Cont'd...

- Page 3 -
April 15, 1993

Cont'd...

SCHEDULE "A"

<u>Incorporating into Street Name</u>	<u>Description of Lands being Incorporated</u>	<u>Financial Implications</u>	<u>Reason for being Incorporated</u>	<u>File No.</u>
Acadia Drive	Block 29, Plan 62M-644	N/A	To provide access from Acadia Drive, Plan 62M-644 to Emperor Avenue (as established by City of Hamilton By-Law No. 90-50)	S719-57 S718-67

cb:HS
encls.

cc/Mr. F. Angelici, Planning Department
cc/Mr. M. Watson, Property Department

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE BLOCK 29, PLAN 62M-644
INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Part of Parcel Reserves -1, Section 62M-644.

Being all of Block 29, Plan 62M-644.

Being Part of the Parcel.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE BLOCK 29, PLAN 62M-644
INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Part of Parcel Reserves -1, Section 62M-644.

Being all of Block 29, Plan 62M-644.

Being Part of the Parcel.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE PART 2, PLAN 62R-12045
INTO ELITE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Elite Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Elite Drive.

Part of Lot 10, Concession 8 (former geographic Township of Barton), designated as Part 2, on Plan 62R-12045.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE PART 2, PLAN 62R-12045
INTO ELITE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Elite Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Elite Drive.

Part of Lot 10, Concession 8 (former geographic Township of Barton), designated as Part 2, on Plan 62R-12045.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE PARTS 9 AND 12, PLAN 62R-11096
INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Part of Lots 6 and 7, Registered Plan 990, designated as Parts 9 and 12, on Plan 62R-11096 (respectively).

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE PARTS 9 AND 12, PLAN 62R-11096
INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Part of Lots 6 and 7, Registered Plan 990, designated as Parts 9 and 12, on Plan 62R-11096 (respectively).

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1993.

City Clerk

Mayor

2(c)(iv)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: April 22, 1993

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director
Roads Department

RECEIVED

SUBJECT:

Amending By-Law No. 92-152 (Fieldway Drive).

CITY CLERKS

RECOMMENDATION:

- a) That By-Law No. 92-152 be amended by substituting all references to Plan 62R-11929 with Plan 62R-11979.
- b) That the By-Law to carry out the amendment be enacted by Council.
- c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Law.



E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

Cont'd

- Page 2 -
April 22, 1993

Cont'd

BACKGROUND

To amend the reference to Plan 62R-11929 by substituting the applicable Plan 62R-11979. In the original By-Law No. 92-152, a transposition of numbers occurred with regards to the Reference Plan number. Everything else in the By-Law is satisfactory.

cb:HS
encls.

cc: Mr. F. Angelici, Planning Department
cc: M. Watson, Property Department

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO AMEND BY-LAW NO. 92-152
INTO FIELDWAY DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton did enact By-Law No. 92-152 to alter a portion of the highway known as Fieldway Drive by incorporating within its limits the lands described below;

AND WHEREAS it is necessary to amend the reference plan number;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That By-Law No. 92-152 is hereby amended by substituting all references to Plan 62R-11929 to Plan 62R-11979.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to request the By-Law or title to the following land.

Parts of Lot 11, Concession 6 (former geographic Township of Barton) designated Parts 2, 3, 6, 9, 10, 12, 14, 17 and 20, Plan 62R-11054 and Parts 3 and 5, Plan 62R-11979.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

3. By-Law No. 92-152 enacted on June 30, 1992, and registered as Instrument 125495 (new) (as amended by the By-Law) is hereby confirmed.

PASSED this

day of

A.D. 1993

City Clerk

Mayor

2(DXi)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 8

REPORT TO: Mr. K. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. D. Lobo, Director
Public Works Department

SUBJECT: Bay Street North Road Closure

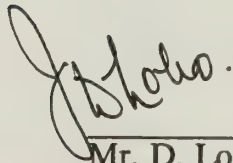
RECEIVED

APR 16 1993

CITY CLERKS

RECOMMENDATION:

- a) That the proposal to close Bay Street North be referred back to the Parks and Recreation Committee.
- b) That the Parks and Recreation Committee be requested to review the proposal to close Bay Street North, within the context of the West Harbourfront Development Study.



Mr. D. Lobo, Director
Public Works Department

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

All capital costs associated with the proposed closure will be addressed in the West Harbourfront Development Studies.

BACKGROUND:

On November 18, 1992 the Planning and Development Committee was in receipt of a report concerning PRIDE improvements to the North End Neighbourhood. A component of the report, that being the proposal to close Bay Street North as a component of the Pier-4 Park Development, was deferred (see attached plan). This deferral was initiated to ensure that staff from the Traffic Department, Neighbourhood Planning Division, and Regional Roads would solicit further public input through the Transport and Environment Committee's formal road closure process.

Subsequent to this direction, a public open house meeting was held on March 18, 1993. At this public meeting and through written correspondence received from various affected agencies, it has become apparent that staff were unable to adequately resolve the concerns of those opposed to the proposed road closure.

From this perspective, it is recommended that the road closure not be implemented at this time. Referring this proposal back to the Parks and Recreation Committee will allow that Committee to include the Bay Street Road Closure within the West Harbourfront Development Study.

The West Harbourfront Development Study is a multi disciplinary study of the West Harbourfront Precinct and a major aspect of this study will be a comprehensive review of Civic and Regional traffic issues. It is recommended that the Bay Street North Road closure be addressed in conjunction with the "broader picture" of traffic and development issues affecting the West Harbourfront Precinct.

CFE/ps
Attachment

c.c. Planning and Development Committee
Parks and Recreation Committee
J. G. Pavelka, Chief Administrative Officer
M. F. Main, Director of Traffic Services
V.J. Abraham, M.C.I.P., Director, Regional Planning Division

26(ii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 27

REPORT TO: Mr. Kevin Christenson
Secretary, Transport and Environment Committee

FROM: Mr. D. Lobo
Director of Public Works

SUBJECT: Proposed Construction of Concrete Sidewalks on the
West Side of Upper Wellington from Bryna to
the North Limits of the East-West Freeway (93.1038)

RECOMMENDATION:

- (a) That the construction of concrete sidewalks on the west side of Upper Wellington Street from Bryna Avenue to the north limits of the East-West Freeway proceed as local improvements pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$25,300 with a City's share of \$7,144 and Owners' share of \$18,156 all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
- (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.



D. LOBO
DIRECTOR OF PUBLIC WORKS

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The proposed works are to be rated in accordance with the normal practice. Provision has been made for these works in the 1993 - 2002 Capital Budget. The estimated cost per metre for concrete sidewalks is \$89.00. If approved, this project will reduce the balances available in the City's share to \$570,056 and the Owners' share to \$573,044.

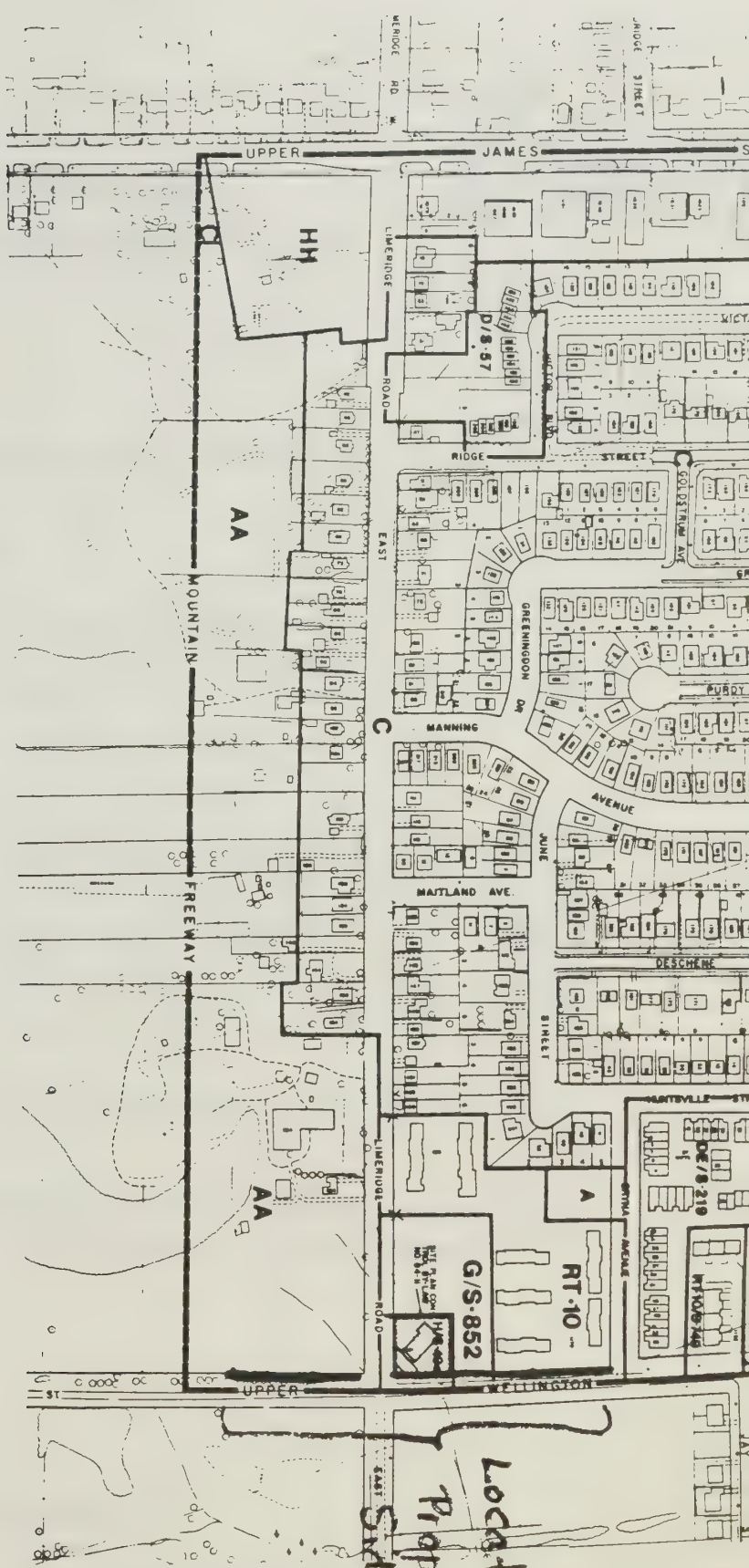
BACKGROUND:

The Region is constructing the Upper Wellington Street grade separation south of Limeridge Road. The Region will be installing sidewalks on the structure. The subdivider for the development south of the Freeway will be installing sidewalks under the subdivision agreement for Primecan Estates.

It would be prudent to initiate the construction of the sidewalks on the west side of Upper Wellington Street between Bryna Avenue and the north limits of the East-West Freeway to provide a continuous pedestrian link at this location. The location of the proposed work is shown on the attached plan.

RPM/jdh
Attach.

c.c. Mr. J. J. Schatz, City Clerk
Ms. P. Noé Johnson, City Solicitor
Attention: S. Riley
Mr. A. Ross, City Treasurer
Attention: N. Adhya
Mr. G. W. Lawson, Commissioner of Finance
V.J. Abraham, M.C.I.P., Director, Local Planning
S. Reeder, Secretary, Finance & Administration Committee
J. van der Mark, Special Projects Office



Location of
Proposed
Sidewalk

<p>This is not a Legal Document For Zoning Verification Purposes Contact City Building Department</p>		<p>CITY OF HAMILTON GREENINGDON ZONING</p>	
<p>Neighborhood Boundary Zoning Boundary</p>		<p>Scale 0 50m 100m</p>	
<p>Prepared for The City of Hamilton by the Planning and Development Department at the Regional Municipality of Hamilton Westwards</p>		<p>Planning Unit No. 7201</p>	
<p>Map No. 56</p>		<p>Map No. 56</p>	

2 (DXiii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 23

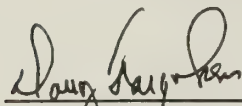
REPORT TO: Mr. Kevin Christenson
Secretary, Transport and Environment Committee

FROM: Mr. D. Lobo
Director of Public Works

SUBJECT: Proposed Construction of a Finished Roadway on
Acadia Drive Approximately 50m South of Butler Drive
to Approximately 200m Southerly

RECOMMENDATION:

- (a) That the construction of a finished roadway on Acadia Drive approximately 50m south of Butler Drive to approximately 200m southerly proceed as a Local Improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of one hundred and eleven thousand, six hundred dollars (\$111,600) as provided in the 1993 portion of the 1993 - 2002 Capital Budget with a City's Share of twenty-two thousand, eight hundred dollars (\$22,800) and an Owner's Share of eighty-eight thousand, eight hundred dollars (\$88,800); and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funds for this Capital project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works once all the necessary approvals have been received.



fr. D. LOBO
DIRECTOR OF PUBLIC WORKS

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Provision has been made for these works in 1993 - 2002 Capital Budget.

The approval of these works will reduce the balance available in the City's Share to five hundred and seventy-seven thousand, two hundred dollars (\$577,200) and the Owner's Share to five hundred and ninety-one thousand, two hundred dollars (\$591,200).

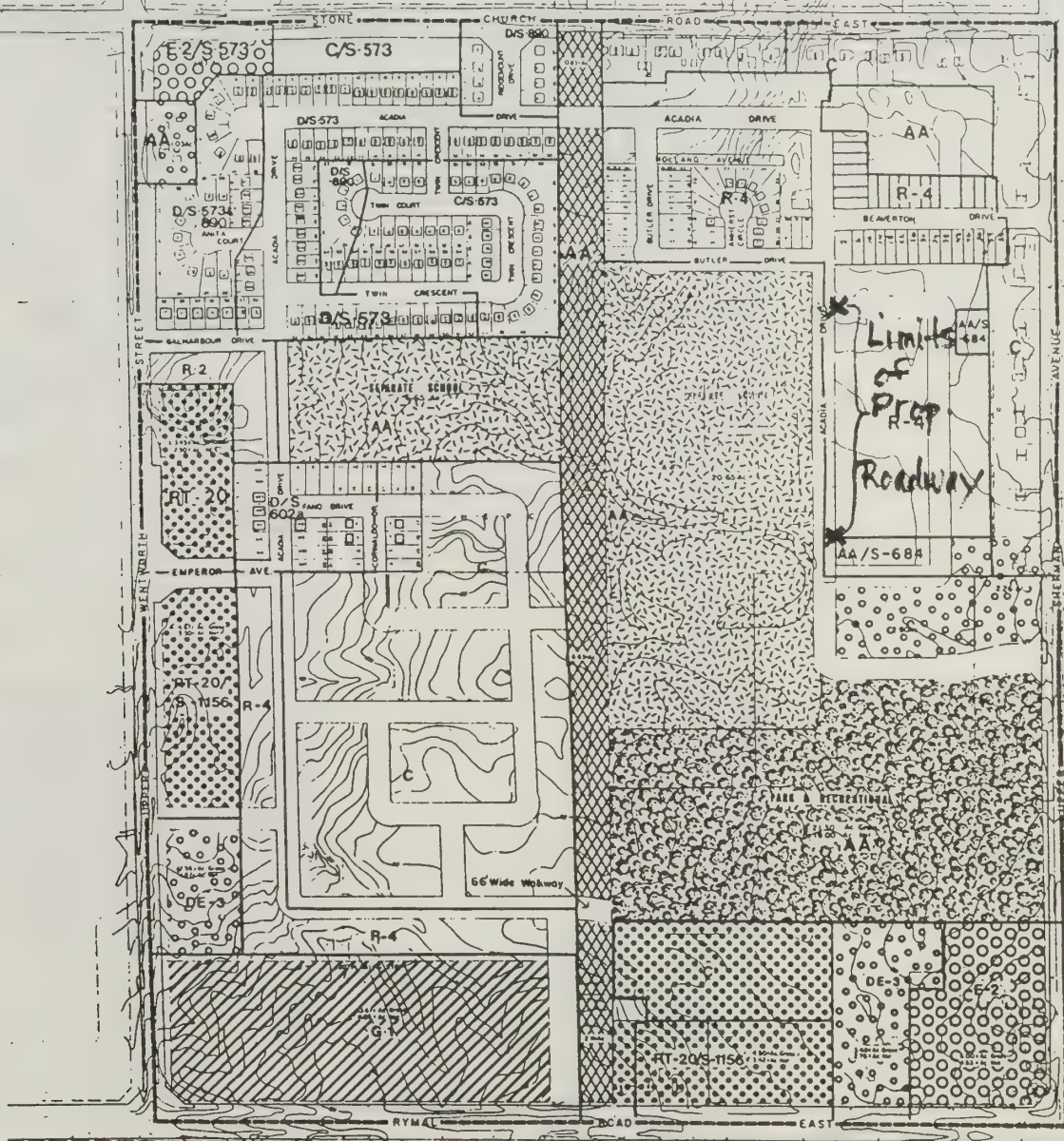
BACKGROUND:

We are in receipt of a sufficiently signed petition from the abutting owners requesting a finished roadway on Acadia Drive approximately 50m south of Butler Drive to approximately 200m southerly.

The location of the proposed project is shown on the attached plan.

RPM/jdh
Attach.

c.c. Mr. A. Ross, City Treasurer
 Attention: Mr. G. Keith
 Ms. P. Noé Johnson, City Solicitor
 Mr. G. W. Lawson, Commissioner of Finance
 V.J. Abraham, M.C.I.P., Director of Local Planning
 Mrs. S. Reeder, Secretary, Finance & Administration Committee
 Mr. D. Y. Onishi, Director of Design & Construction, Roads Department



NOTE: This is a GUIDE PLAN only and is subject to change. For details contact the local planning division of the Regional Municipality of Hamilton-Wentworth.

NOTE: This is a GUIDE PLAN only and is subject to change. For details contact the local planning division of the Regional Municipality of Hamilton-Wentworth.

LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments

- COMMERCIAL
- INDUSTRIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approved

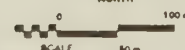
Planning Committee APRIL 28, 1978 Council JUNE 20, 1978

Latest Revision Date OCT. 31, 1980

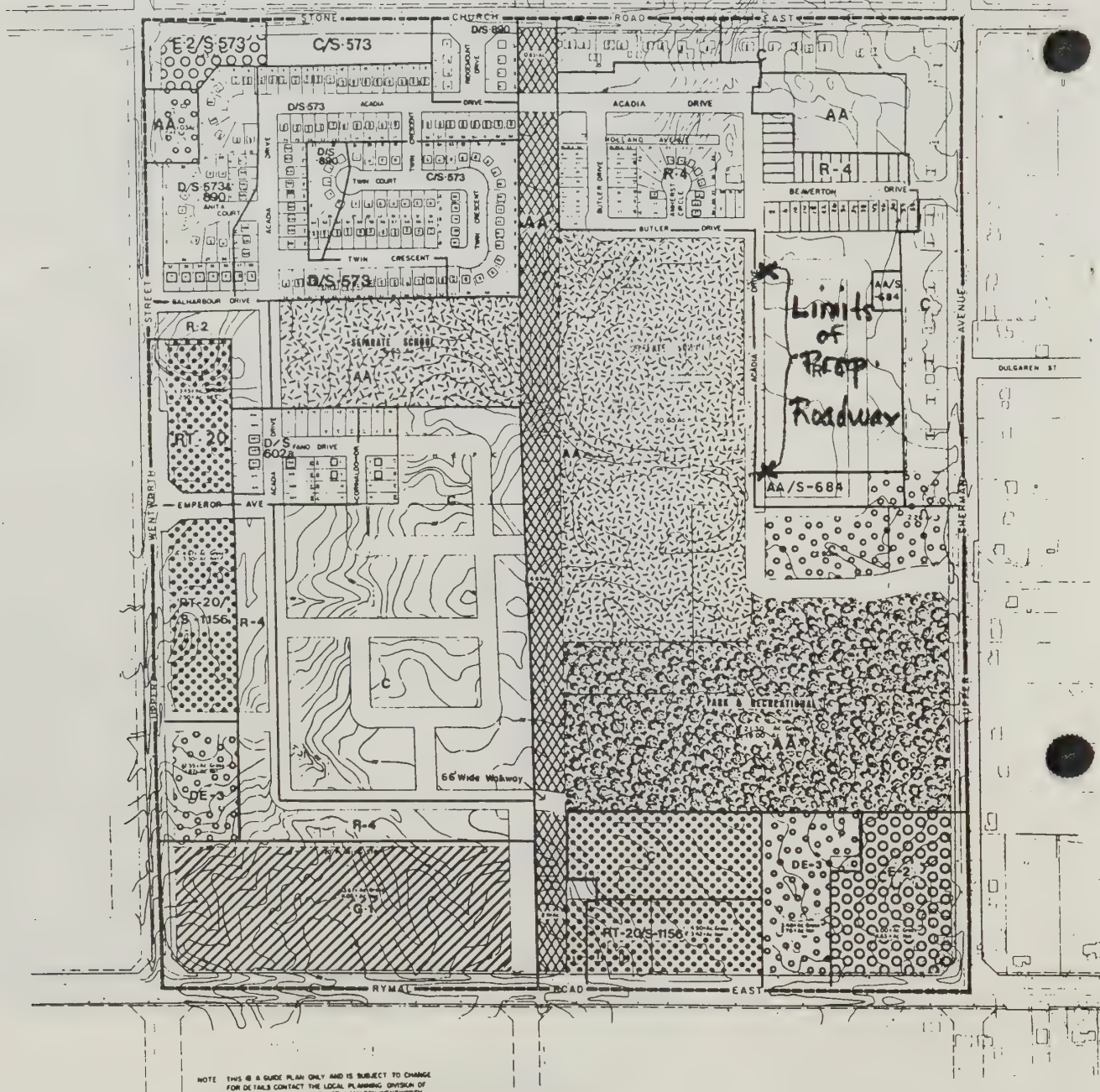
CITY OF HAMILTON
PLANNING DEPARTMENT

BUTLER

APPROVED PLAN



EXISTING POPULATION (1988) 389



NOTE: THIS IS A GUIDE PLAN ONLY AND IS SUBJECT TO CHANGE FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH.

NOTE: This is a GUIDE PLAN only and is subject to change. For details contact the local planning division of the Regional Municipality of Hamilton-Wentworth.

LAND USE RESIDENTIAL

- single & double attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments

- COMMERCIAL
- INDUSTRIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approved
Planning Committee APRIL 28, 1978 Council JUNE 29, 1978
Latest Revision Date OCT. 31, 1980

CITY OF HAMILTON
PLANNING DEPARTMENT

BUTLER
APPROVED PLAN



EXISTING POPULATION (1988) 389

2 (F)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 27

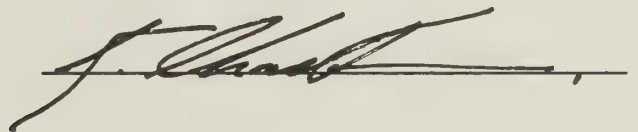
REPORT TO: Chairman and Members
Transport and Environment Committee

FROM: Kevin C. Christenson, Secretary
Transport and Environment Committee

SUBJECT: Information Reports

RECOMMENDATION:

That the attached list of Information Reports previously distributed to the Transport and Environment Committee, be received.

A handwritten signature in dark ink, appearing to read "J. Christenson", is written over a horizontal line.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

Attachment

**INFORMATION
REPORTS**

**TRANSPORTATION AND ENVIRONMENT
COMMITTEE**

Date	From	Subject	Date
1993 April 15	Doug Lobo Director of Public Works	Public Works Department Streets and Sanitation Division - Feasibility Study Two Man Packers	1993 April 16
1993 April 7	Murray F. Main Director of Traffic Services	Intersections of Broker Dr. and Brentwood Drive and Marion Avenue South and South Oval - Intersection Control	1993 April 26
1993 April 8	Murray F. Main Director of Traffic Services	Queen Elizabeth Way and Highway 403 Signing for Hamilton and Hamilton-Wentworth	1993 April 26
1993 April 20	Doug Lobo Director of Public Works	1993 Trillium Awards Program	1993 April 26

Kevin C. Christenson, Secretary
1993 April 27

3.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 April 29

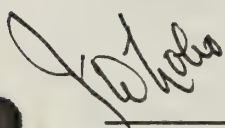
REPORT TO: Mr. K. Christenson
Secretary, Transport and Environment Committee

FROM: Mr. D. Lobo
Acting Director of Public Works

SUBJECT: Snow Control Accounts
Anticipated Overdraft for 1992/93 Winter Season

RECOMMENDATION:

That the Finance & Administration Committee recommend a method of financing the estimated overdraft of \$3,387,147 for the 1992/93 winter season - snow control accounts.



D. LOBO
DIRECTOR OF PUBLIC WORKS

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Based on the present deficit of \$2,492,894, and an additional expenditure of \$894,253 anticipated, the 1993 Winter Budget will go into overdraft by (est.) \$3,387,147.

BACKGROUND:

The 1993 approved budget for Winter Maintenance is \$2,711,600. Expenditures to date are \$5,204,494 creating a deficit of \$2,492,894. Expenditures for Winter Maintenance operations during the months of October to December for the past five years have been as outlined in the following table:

<u>Oct. to Dec.</u>	<u>Expenditure</u>
1988	\$ 441,846
1989	1,172,627
1990	602,243
1991	850,805
1992	<u>1,403,748</u>
5-year average	\$ 894,253

The weather conditions that led to this overdraft include number of snow storms, volume of snow with each storm and the total accumulation of snow.

This past winter, there were four "major" storms with accumulations exceeding 15 cm of snow and four "minor" storms exceeding 10 cm. The total snowfall from October, 1992 to April, 1993 was 215 cm, compared to a normal winter snowfall of 129.54 cm. So the snow accumulation over this past winter is almost double a normal winter's snow accumulation.

Compounding the snow accumulation this past winter has been the lack of usual freeze/thaw cycle which normally helps reduce snow existing snow accumulations.

These exceptional circumstances required staff to blow snow in the neighbourhoods on five occasions instead of two, and graders were required to plow residentials on nine occasions instead of 4 occasions.

This particular winter has been the most severe that the City has experienced since 1983, with respect to snow accumulations.

DL/jdh

c.c. Mr. A. Ross, Treasurer



4.

Canadian Union of Public Employees - Syndicat Canadien de

LOCAL FIVE

231 Bay Street North, Hamilton, Ont. L8R 2R1

President
Sid Gratton

Secretary
Ed Thomas

RECEIVED

APR 13 1993

CITY CLERKS

April 7, 1993

Mr. Kevin Christenson,
Secretary,
Transport and Environment Committee,
City Hall,
Hamilton, Ontario.

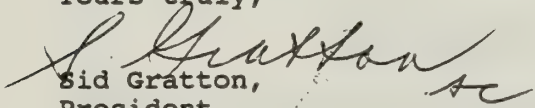
Dear Sir: Re: Sawdust Pick-Up

Enclosed is a report in regards to the Roadway Spill Clean Up prepared by C.U.P.E. Local 5.

We request this report be placed on the Agenda for the next Transport and Environment Committee Meeting.

Please let us know when this meeting will take place as we will have a member of Local Five at this meeting to answer any questions, if needed.

Yours truly,


Sid Gratton,
President.

SG:sc

Encl.

cc: Mr. J. Pavelka

View the note

JWALTON--CUHAN

Date and time

Personal address

CHRISTIE--CUHAN

ect: His call Tony/ of CORE 3 at home 0230200 (residential) "residential
is issue" - where it stands with the 100 Committee.

is truly,

e walton (x2062), userid JWALTON

E N D O F N O T E

Alternate PFs PF2 File NOTE PF3 Keep PF4 Erase PF5 Forward Note
Reply PF7 Resend PF8 Print PF9 Help PF10 Next PF11 Previous PF12 Return



CIVIC UNIT

**CONTRACTING OUT
ROADWAY SPILL CLEAN UP**

DATE: March 19, 1993

PREFACE

The purpose of this document is to provide background information on the "Sawdust Issue", which remains unresolved between Public Works and CUPE Local 5.

It is the position of CUPE Local 5 that the contracting out of this very basic job function is an inappropriate expenditure of approximately \$25,000.00 per annum in additional civic funds.

Historically, this work has been performed safely and efficiently "in house", at no additional cost to the ratepayers of the City of Hamilton.

The employers action is in direct violation of the collective agreement and several attempts through the appropriate chain of command have been utilized to address this issue.

It is appropriate, at this time, to address this issue directly with City Council.

BACKGROUND

ROADWAY SPILL CLEAN UP PROCEDURE, PRIOR TO MARCH 1992:

Spills of motor vehicle fluids and other fluids as a result of motor vehicle accidents, breakdowns or leakages of unknown origin on City and Regional roadways has been safely and efficiently handled by Public Works staff.

- Streets Division would respond to calls, from the Fire Department or others, by dispatching the Road Patrol Operator personnel to clean up contaminated sawdust and/or to cover/contain spills with absorbent material.
- Once absorbed, the solid waste would be swept and shovelled into a container for proper disposal.
- These procedures comply with all regulations under Environmental Protection Act (EPA); of which the City holds all necessary permits.
- Although there are related costs to these activities, these functions are encompassed within the Specific Duties of the Road Patrol Operator, and therefore part of the daily routine of this position. (See Human Resource Job Description, Appendix I)
- Costs for accidental spill clean up is charged to the auto insurance company, for a recovery of all or partial related costs.

REQUIREMENTS UNDER THE EPA:

1) Generator's Permit:

A municipality is required to hold a Generator's Permit for the handling and disposal of the subject waste.

- This permit may be amended to include other types of waste, (not normally part of accident clean up) as outlined in sub-section 15(4) of regulation 309.

2) Field Operations Exemption:

A Municipality is not obligated to comply with the same regulations as any contractor or waste management system, due to extensive lobbying of the Provincial Government by the Regional Governments of Ontario. The goal is to provide an efficient operation at substantial savings to taxpayers.

The exemption provides for a municipality to engage in:

- Spill cleaning or emergency response activities and
- Housekeeping, maintenance and collection and removal of litter, rubbish, abandoned or discarded material and debris on or near a highway where the person undertaking the operation is in a road authority, without having to comply with all regulations.
- A Field Operation does not require certificate approval of the MOE, simply to store waste received for proper disposal.

- The Patrol Yard dedicated to the maintenance and upkeep of a particular section of highway shall, together with the section of highway, be considered as one field operation. Meaning the operator is also exempt from completing a manifest while transporting this waste to a local waste transfer facility.

3) **Pick up, Storage and Disposal:**

- Proper personal protective equipment should be available for personnel handling waste.
- Spill waste is to be shovelled or swept into covered plastic containers (ie. Rubbermaid containers), or 6 mil garbage bags.
- Storage facilities must have restricted access such as a high fence and locked gate, the storage area must be ventilated, labelled and protected from rain/moisture.
- Transfer to disposal site (Transfer Station) requires loading, securing and transferring the bulk containers in a covered vehicle. No designated placard or manifest is required.

The following Chart demonstrates that the City of Hamilton presently complies with all Ministry requirements:

COMPARATIVE CHART	
MOE REQUIREMENTS	CITY OF HAMILTON
1) Generator's Permit	Registered/Holder of Permit
2) Field Operator's Exemption	Automatically Exempt
3) Pick up Storage and Disposal	All requirements present or readily obtainable

* Briefly, Public Works historically has conducted this aspect of its business within all required guidelines. The City of Hamilton was not and still is not in violation of any applicable regulations of the EPA.

COST CONSIDERATIONS

The actual cost to the Department for providing this service is minimal.

- 1) Proper storage/disposal procedures need to be developed to comply with the Act. This would include:
 - Separate Rubbermaid containers for fuel, oil and antifreeze or a supply of 6 mil garbage bags; to facilitate collection of waste.
 - Establishment of three covered, vented and labelled drums stored out of the elements at a District Yard; to facilitate bulk storage.
 - All other requirements fall within present personnel duties.
- 2) Training required would be minimal, including instruction on identification of hazardous waste, application of absorbent, safe removal/transport/storage of waste.
 - An Emergency Response Procedure Manual could be jointly developed between Union and Management.

CONTRACTING OUT VS. IN HOUSE STAFFING COSTS

Federal Environmental Services/Waxman Environmental Group:

8:00 a.m. to 5:00 p.m. - Monday to Friday	\$ 65.00/hr.
5:00 p.m. to 8:00 a.m. - Monday to Friday	\$ 95.00/hr.
All weekends and holidays	\$125.00/hr.

These rates are per hour or any part of.

- * According to the Ministry of Environment, Federal Environmental Services is NOT recorded with them as a company, therefore may not comply with the Act. (letter attached) *

In House/Public Works (these figures are from Mr. D. Lobo):

8:00 a.m. to 3:30 p.m. - Monday to Friday	\$ 41.07/hr.
3:00 p.m. to 11:00 p.m. - Monday to Sunday	\$ 41.57/hr.
11:00 p.m. to 7:00 a.m. - Monday to Friday	\$ 41.57/hr.
All overtime and holiday rates	\$ 57.93/hr.*
*Calculated at double time.	

These in house figures include: wages, benefits, shift premiums, clothing, training and vehicle. Average call time equal to 30 mins. and figures should reflect a decrease for in house costs.

Prior to the contracting out of this service, the cost to the corporation was absorbed in the Streets Division current operating budget.

SUMMARY

If Public Works had honoured the Collective Agreement and if the department had investigated applicable legislations and regulations governing this procedure, then union and management would not be in conflict at this time.

Public Works, Local 5 staff have always provided an excellent service to the citizens of Hamilton. With use of two way radios, dispatcher, and direct contact with the Fire Department our response time has always been IMMEDIATE. In addition, our staff have safe practices when working near or obstructing a roadway.

Conversely, the contractor's response time is irregular, involving a number of telephone calls or answering service and dispatch time. There are occasions when the response time has been up to EIGHT HOURS.

\$25,000.00 per annum for this service is inappropriate and unjustified.

Senior staff have communicated that there is no real expenditure for the corporation since costs are recovered from the insurance companies. We question at what administrative cost to the employer? And, what percentage of occurrences are actually recovered?

Furthermore, if this service were performed "in house", could the expenditures still not be recovered from the insurance companies? These funds that are generated from the insurance companies could maintain another programme facing elimination due to lack of available funding.

During these times of economic stress, we find it unacceptable to contract out our work, considering the wages for the Road Patrol Operator are being covered by the current budget whether or not this employee is performing the "sawdust" duties.

Public Works has incurred an expense of \$25,000.00 to \$30,000.00 instead of generating a resource of the same amount. This situation has created a void totalling \$50,000.00 to \$60,000.00.

Public Works is ignoring this opportunity to reduce current budgets. An opportunity to maximize funds would be a step in the right direction during this period of budget restraints and employee lay offs.

APPENDIX I

THE CORPORATION OF THE CITY OF HAMILTON

JOB TITLE:	Road Patrol Operator	POSITION NUMBER:	CPW.110B
DEPARTMENT:	Public Works	OCCUPATION CODE:	
SECTION:	Streets	UNION CODE:	
DIVISION:	District		
UNION LOCAL:	C.U.P.E. 5	LAST REVISION:	93/03/16

JOB SUMMARY: Report to Foreman/Woman II (Cleaning Operations). Operate a street sweeper/flusher to clean City and Regional streets.

Monitor and maintain city streets on afternoon and weekend shifts.

SPECIFIC DUTIES:

Operates a street sweeper and flusher.

Drives service vehicle; responds to emergency calls such as accident clean up.

Performs asphalt repairs on sidewalks, curbs and approaches.

Patrols accesses, main routes and overpasses; monitors road hazards and weather conditions.

Loads and unloads garbage, barricades and delineators.

Fills unit water tanks from hydrants.

Washes, greases and refuels equipment.

Completes driver/operator reports such as route covered.

Posts signs along streets for temporary no parking.

Performs minor repairs to equipment such as adjusting nozzles and replacing curb brooms.

Operates tools and equipment such as shovel, broom and front end loader.

Performs preventative maintenance on vehicle, tools and equipment.

Performs Truck Driver/Labourer duties.

Performs other duties as assigned which are directly related to the major responsibilities of the job.



Ministry
of the
Environment

Ministère
de
l'Environnement

West
Central
Region

Région
du
Centre-Ouest

119 King St W
12th Floor - Box 2112
Hamilton Ontario
L8N 3Z9
416-521-7640

119, rue King ouest
12^e étage - Casier 2112
Hamilton (Ontario)
L8N 3Z9
416-521-7640

October 20, 1992

CUPE
231 Bay Street North
Hamilton, Ontario
L8R 2R1

Attn: Tony Christison

Dear Mr. Christison:

RE: FEDERAL ENVIRONMENTAL SERVICES

As per our telephone conversation on October 19, 1992, I explained that both Suzanne Belanger-Fontaine, Hamilton District Office, and myself, West Central Regional Office, have searched our computer logging/tracking systems and our file room in search of any record regarding Federal Environmental Services.

The result of our search indicated that neither the Hamilton District Office nor the West Central Regional Office have any record of said company.

I understand the urgency of your request and as such am faxing this letter to you today (original to follow in the mail).

If I may be of anymore assistance, I can be reached at (416) 521-7659.

Yours truly,

Kim Lendvay
Environmental Approvals Officer
Approvals and Planning
West Central Region



THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

1993 March 24

Mr. S. Gratton
President
Canadian Union of Public Employees
231 Bay Street North
Hamilton, Ontario
L8R 2R1

RECEIVED

MAR 24 1993

CITY CLERKS

Dear Mr. Gratton

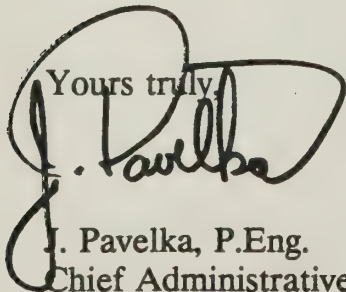
Re: Roadway Spills Clean-up

Further to our discussions about Local 5's concerns with respect to the roadway spills clean-up arrangements, because you are not satisfied with the information provided by staff on this matter the appropriate procedure at this point is for Local 5 to present a written brief to the appropriate Standing Committee of Council. In this case it would be the Transport and Environment Committee.

Rather than sending individual pieces of correspondence such as the March 15 letter, the reason for the written brief is to bring all the information together including any accompanying documentation so that the Committee has the benefit of all the information.

The Committee will receive the brief and during their review will decide on the course of action to be taken. You will be advised by the Secretary of the Committee on their decision.

Yours truly,



J. Pavelka, P.Eng.
Chief Administrative Officer

c.c. Mr. D. Lobo, Director of Public Works
Mr. K. Christenson, Secretary,
Transport and Environment Committee

CITY CLERK'S DEPARTMENT

5(a)

MEMORANDUM

TO: Kevin C. Christenson, Secretary
Transport and Environment Committee

YOUR FILE:

FROM: J. J. Schatz
City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: Amendments to Hamilton Harbour
Cargo Rates Tariff, PC. 1990-1592

DATE: 1993 April 28

For your information, please be advised that City Council at its meeting held 1993 April 27 referred the attached correspondence respecting amendments to Hamilton Harbour Cargo Rates Tariff, PC. 1990-1592 to the Transport and Environment Committee.



Attachment

JJS:mjw



1.

April 15, 1993

VIA COURIER

The Corporation of the City of Hamilton
City Clerk's Office
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attention: Mr. J. J. Schatz
City Clerk

Dear Sir,

RE: AMENDMENTS TO HAMILTON HARBOUR CARGO RATES TARIFF, P.C.1990-1592

Attached hereto for your information is a true copy of a resolution passed by the Board of Commissioners on April 15, 1993, respecting minor grammatical and french translation changes to the Hamilton Harbour Cargo Rates Tariff, P.C.1990-1592. The amendments do not affect the intent or operational aspect of the By-law.

These amendments are served upon you pursuant to section 20(2) of the Hamilton Harbour Commissioners' Act.

Kindly acknowledge receipt of these materials, in writing.

Yours truly,
THE HAMILTON HARBOUR COMMISSIONERS

A handwritten signature in black ink, appearing to be 'R. Scott Smith'.

R. Scott Smith
Secretary to the Board

RSS:ah

OFFIC

APR 15 1993

REC. BY *as* DATE

REF'D. TO

REF'D. TO

REF'D. TO

ACTION:

Submitted for the consideration of the Board was a copy of correspondence received from the Canadian Coast Guard, Harbours & Ports, respecting minor and errata amendments to the Hamilton Harbour Commissioners' Hamilton Harbour Cargo Rates Tariff By-Law, P.C. 1990-1592, as requested by the Standing Joint Committee of the Senate and the House of Commons for the Scrutiny of Regulations.

The Board was informed that the proposed amendments are minor grammatical and French translation changes which do not affect the intent or operational aspects of the Cargo Rates Tariff By-Law. These amendments have arisen as a result of the Standing Joint Committee's review of the Hamilton Harbour Cargo Rates Tariff By-Law, confirmed by the Governor General in Council on July 27, 1990. It was recommended that the amendments to the Cargo Rates Tariff By-Law, as submitted, be approved.

Following discussion, it was the view of the Board that the proposed amendments to the Hamilton Harbour Cargo Rates Tariff By-Law were minor in nature and did not affect the intended regulation and control exercised by the by-law.

It was therefore:

MOVED BY Commissioner D. M. Beattie

SECONDED BY Commissioner P. J. Peterson

BE IT RESOLVED:

THAT the minor and errata amendments to the Hamilton Harbour Cargo Rates Tariff By-Law, P.C. 1990-1592 as detailed in Schedule "A" attached hereto, be approved and adopted and the by-law be amended accordingly;

AND THAT the Secretary to the Board of Commissioners be directed to serve upon the City Clerk of Hamilton, a certified copy of the amendments to the Hamilton Harbour Cargo Rates Tariff By-Law pursuant to section 20(2) of the Hamilton Harbour Commissioners' Act.

CARRIED.

SCHEDULE A

SCHEDULE II
(SUBSECTION 2(2))

HAMILTON HARBOUR COMMISSIONERS' ACT

Hamilton Harbour Cargo Rates Tariff By-law
(SOR/90-452)

1. Subsection 3(2) of the English version is revoked and the following substituted therefor:

"(2) For the purpose of calculating the cargo rates, goods set out in column I of an item of Schedule 2 that have a volume set out in column II of that item are deemed to have the weight set out in column III of that item."

2. Paragraph 5(1)(a) of the English version is revoked and the following substituted therefor:

"(a) prior to departure, have delivered to the office of the Corporation a correct report of the vessel giving a full description of the weight, value and measure of the vessel's outward cargo and the name of the consignee thereof, and including".

3. Subsection 7(2) is revoked and the following substituted therefor:

"(2) Cargo rates shall not be refunded pursuant to subsection (1) unless application for the refund is made within seven days of the delivery of the report and manifest referred to in subsection 5(3)."

ANNEXE II
(paragraphe 2(2))

LOI DES COMMISSAIRES DU HAVRE DE HAMILTON

Règlement sur le tarif des droits du havre de Hamilton
DORS/90-452)

1. Le paragraphe 3(2) de la version anglaise est abrogée et remplacé par ce qui suit:

<<(2) For the purpose of calculating the cargo rates, goods set out in column I of an item of Schedule II that have a volume set out in column II of that item are deemed to have the weight set out in column III of that item.>>

2

2. L'alinéa 5(1)(a) dans la version anglaise est abrogé et remplacé par ce qui suit:

<<(a) prior to departure, have delivered to the office of the Corporation a correct report of the vessel giving a full description of the weight, value and measure of the vessel's outward cargo and the name of the consignee thereof, and including>>

3. Le paragraphe 7(2) est abrogé et remplacé par ce qui suit:

<<(2) Les droits de cargaison ne sont remboursés conformément au paragraphe (1) que si la demande de remboursement est faite dans les sept jours suivant la remise du rapport et du manifeste visés au paragraphe 5(3).>>

Registration
SOR/90-452 27 July, 1990

HAMILTON HARBOUR COMMISSIONERS' ACT

Hamilton Harbour Cargo Rates Tariff By-law

P.C. 1990-1592 27 July, 1990

His Excellency the Governor General in Council, on the recommendation of the Minister of Transport, pursuant to section 20 of the Hamilton Harbour Commissioners' Act*, is pleased hereby to confirm the By-law made by the Hamilton Harbour Commissioners on August 22, 1989, and served upon the Clerk of the City of Hamilton on August 23, 1989, revoking the Hamilton Harbour Cargo Rates Tariff By-law, C.R.C., c. 893, and making the annexed By-law respecting the tariff of cargo rates applicable at the Harbour of Hamilton, Ontario, in substitution thereof.

BY-LAW RESPECTING THE TARIFF OF CARGO RATES APPLICABLE AT THE HARBOUR OF HAMILTON, ONTARIO

Short Title

1. This By-law may be cited as the *Hamilton Harbour Cargo Rates Tariff By-law*.

Interpretation

2. In this By-law,
"general cargo" means all cargo not carried in bulk, that is, all cargo not carried loose or in mass. (*marchandises diverses*)
"harbour" means the harbour of Hamilton. (*havre*)

Cargo Rates and Weights

3. (1) The cargo rates payable in respect of an item set out in column I of an item of Schedule I are the rates set out in column II of that item.

(2) For the purpose of calculating the cargo rates, goods set out in column I of an item of Schedule II that has a volume set out in column II of that item is deemed to have the weight set out in column III of that item.

Terms and Conditions

4. (1) The owner, master, or person in charge of every vessel arriving in the Harbour shall

(a) forthwith and before the vessel breaks bulk, have delivered to the office of the Corporation a report of the arrival of the vessel, including

* S.C. 1912, c. 98

Enregistrement
DORS/90-452 27 juillet 1990

LOI DES COMMISSAIRES DU HAVRE DE HAMILTON

Règlement sur le tarif des droits de cargaison du havre de Hamilton

C.P. 1990-1592 27 juillet 1990

Sur avis conforme du ministre des Transports et en vertu de l'article 20 de la Loi des commissaires du havre de Hamilton*, il plaît à Son Excellence le Gouverneur général en conseil de ratifier le règlement établi par les commissaires du havre de Hamilton le 22 août 1989 et signifié au greffier de la ville de Hamilton le 23 août 1989, en vue d'abroger le Règlement sur le tarif des droits de cargaison du port de Hamilton, C.R.C., ch. 893, et de prendre en remplacement le Règlement concernant le tarif des droits de cargaison applicables au havre de Hamilton (Ontario), ci-après.

RÈGLEMENT CONCERNANT LE TARIF DES DROITS DE CARGAISON APPLICABLES AU HAVRE DE HAMILTON (ONTARIO)

Titre abrégé

1. *Règlement sur le tarif des droits de cargaison du havre de Hamilton.*

Définitions

2. Les définitions qui suivent s'appliquent au présent règlement.
«marchandises diverses» Marchandises non transportées en vrac. (*general cargo*)
«havre» Le havre de Hamilton. (*harbour*)

Droits de cargaisons et poids

3. (1) Les droits de cargaison exigibles à l'égard de marchandises figurant à la colonne I de l'annexe I sont ceux prévus à la colonne II de cette annexe.

(2) Aux fins du calcul des droits de cargaison, des marchandises figurant à la colonne I de l'annexe II, dont le volume est précisé à la colonne II de cette annexe, sont censées avoir le poids indiqué à la colonne III de la même annexe.

Termes et conditions

4. (1) Le propriétaire, le capitaine ou la personne ayant la charge du navire qui arrive dans le havre doit :

a) faire remettre sans délai au bureau de la Corporation, avant la rupture de charge du navire, un rapport de l'arrivée du navire qui contient les renseignements suivants :

* S.C. 1912, ch. 98

- (i) a description of the rig of the vessel, its tonnage and draught,
- (ii) the name of the vessel and of its master or captain,
- (iii) the date and place of departure of the vessel,
- (iv) the name of the pilot of the vessel, if any,
- (v) the number of persons employed on the vessel,
- (vi) the number of passengers carried on the vessel, and
- (vii) a description in detail of the inward cargo of the vessel, the weight, value and measure thereof and the name of the consignee thereof; and

(b) pay all rates in respect of the cargo to the Corporation.

(2) The report referred to in paragraph (1)(a) shall be in a form approved by the Corporation and signed by the master or person in charge of the vessel, as the case may be.

(3) The owner, master or person in charge of every vessel arriving in the harbour shall, forthwith on the arrival of the vessel, have delivered to the office of the Corporation one copy of the manifest of the vessel giving a full description of the inward cargo, the weight, value and measure thereof and the name of the consignee thereof.

5. (1) The owner, master or person in charge of every vessel departing the harbour shall

(a) prior to departure, have delivered to the office of the Corporation a correct report of the vessel giving a full description of the weight, value and measure, the vessels outward cargo and the name of the consignee thereof, including

- (i) a description of the rig of the vessel, its tonnage and draught,
- (ii) the name of the vessel and of its master or captain,
- (iii) the place for which the vessel is departing,
- (iv) the name of the pilot of the vessel, if any,
- (v) the number of persons employed on the vessel, and
- (vi) the number of passengers carried on the vessel; and

(b) pay all rates in respect of the cargo of the vessel to the Corporation.

(2) The report referred to in paragraph (1)(a) shall be in a form approved by the Corporation and signed by the master or person in charge of the vessel, as the case may be.

(3) The owner, master or person in charge of every vessel leaving the harbour shall, prior to the departure of the vessel, have delivered to the office of the Corporation one copy of the manifest of the vessel, giving a full description of the outward cargo, the weight, value and measure thereof and the name of the consignee thereof.

6. All cargo rates and fines related to a vessel shall be paid or secured to the satisfaction of the Corporation before that vessel leaves the harbour.

7. (1) On production of proof satisfactory to the Corporation that any goods, wares or merchandise were landed at or deposited in the harbour by water for transshipment by water and that those goods, wares or merchandise have, within a period of six months after the date of receipt thereof, actually been shipped from the harbour by water and have not in the interval

(i) la description du grément du navire, sa jauge et son tirant d'eau,

(ii) le nom du navire et celui de son capitaine,

(iii) le lieu et la date de l'appareillage,

(iv) le nom du pilote du navire, s'il y a lieu,

(v) le nombre d'employés à bord du navire,

(vi) le nombre de passagers transportés à bord du navire,

(vii) une description détaillée de la cargaison d'entrée du navire, son poids, sa quantité ou sa mesure et sa valeur ainsi que le nom du destinataire;

b) payer à la Corporation les droits de cargaison.

(2) Le rapport visé à l'alinéa (1)a) est rédigé en la forme approuvée par la Corporation et est signé par le capitaine ou la personne ayant la charge du navire.

(3) Le propriétaire, le capitaine ou la personne ayant la charge du navire qui arrive dans le havre doit sans délai faire remettre au bureau de la Corporation, une copie du manifeste donnant la description complète de la cargaison d'entrée, son poids, sa quantité ou sa mesure et sa valeur, ainsi que le nom du destinataire.

5. (1) Le propriétaire, le capitaine ou la personne ayant la charge du navire qui quitte le havre doit :

a) faire remettre au bureau de la Corporation, avant le départ du navire, un rapport exact sur le navire, indiquant le poids, la quantité ou la mesure et la valeur de la cargaison de sortie, ainsi que le nom du destinataire, et contenant les renseignements suivants :

(i) la description du grément du navire, sa jauge et son tirant d'eau,

(ii) le nom du navire et celui de son capitaine,

(iii) la destination du navire,

(iv) le nom du pilote du navire, s'il y a lieu,

(v) le nombre d'employés à bord du navire,

(vi) le nombre de passagers transportés à bord du navire;

b) payer à la Corporation les droits de cargaison.

(2) Le rapport visé à l'alinéa (1)a) est rédigé en la forme approuvée par la Corporation et est signé par le capitaine ou la personne ayant la charge du navire.

(3) Le propriétaire, le capitaine ou la personne ayant la charge du navire qui quitte le havre doit, avant le départ, faire remettre au bureau de la Corporation une copie du manifeste donnant la description complète de la cargaison de sortie, son poids, sa quantité ou sa mesure et sa valeur, ainsi que le nom du destinataire.

6. Tous les droits de cargaison et amendes afférents à un navire doivent être acquittés ou garantis à la satisfaction de la Corporation avant que le navire quitte le havre.

7. (1) Sur présentation des justificatifs, que la Corporation juge satisfaisants, démontrant que des marchandises ont été débarquées ou déposées dans le havre par eau en vue de leur transbordement par eau et qu'elles ont, dans les six mois suivant la date de leur réception, effectivement été expédiées du havre par eau, sans subir de transformation de forme ou de composition dans l'intervalle, la Corporation peut, sur

been altered in form or composition, the Corporation, on written application therefor, may refund all cargo rates paid in respect of the goods.

(2) Cargo rates shall not be refunded pursuant to subsection (1) unless an application for the refund is made in writing within seven days after the delivery of the manifest referred to in subsection 4(3) or the report referred to in paragraph 5(1)(a) of the outward movement of the vessel.

8. Accounts for cargo rates shall not be adjusted unless an application for the adjustment is made in writing within 15 days after the payment of the account and the application is accompanied by the original receipt.

9. No person shall present to the Corporation any report, manifest, bill of lading, or other document related to the cargo or vessel that is incorrect in any material particular that might be used for calculating any rate or charge payable to the Corporation, or any refund or adjustment of rates paid.

10. Every person who infringes any provision of this By-law is guilty of an offence and is liable on summary conviction to a fine not exceeding 50 dollars or to imprisonment not exceeding 30 days and, where a fine is imposed but not paid forthwith, is liable to imprisonment for a term not exceeding 60 days or a term expiring on the day on which the fine is paid, whichever is the shorter period.

demande écrite, rembourser tous les droits de cargaison qui ont été payés relativement à ces marchandises.

(2) Les droits de cargaison ne sont remboursés conformément au paragraphe (1) que si la demande de remboursement est faite par écrit dans les sept jours suivant la remise du manifeste visé au paragraphe 4(3) ou du rapport visé à l'alinéa 5(1)a).

8. Un compte de droits de cargaison n'est rectifié que si une demande à cet effet, accompagnée du reçu original, est présentée par écrit dans les 15 jours suivant le paiement du compte.

9. Il est interdit de présenter à la Corporation des rapports, manifestes, connaissements ou autres documents afférents à la cargaison ou au navire dans lesquels les données susceptibles d'entrer dans le calcul des droits à payer à la Corporation, des remboursements ou des rectifications des droits payés comportent des inexactitudes.

10. Quiconque contrevient au présent règlement est coupable d'une infraction et est passible, sur déclaration de culpabilité par procédure sommaire, d'une amende maximale de cinquante dollars ou d'un emprisonnement maximal de 30 jours; lorsqu'une amende est imposée mais n'est pas payée sur le champ, le contrevenant est passible d'un emprisonnement prenant fin le jour du paiement de l'amende, jusqu'à concurrence de 60 jours.

SCHEDULE I (Section 3)

Item	Column I Goods	Column II Rates
1.	Automobiles, trucks and tractors	\$.7107 per vehicle
2.	Barr, ale and porter	1.2751 per tonne
3.	Cement	.3431 per tonne
4.	Coal—Anthracite	.0967 per tonne
5.	Coal—Bituminous	.0967 per tonne
6.	Containers, exclusive of contents: (a) not exceeding 7.62 metres in length; and (b) exceeding 7.62 metres in length	2.5054 per container
7.	Coke	1.7581 per tonne
8.	Crusate	.1671 per tonne
9.	Dry bulk commodities, not specified in this Schedule	.4045 per tonne
10.	Fertilizers and chemicals in bulk	.4045 per tonne
11.	Grain, pulse and corn in bulk (other than seed)	.2461 per tonne
12.	Gypsum in bulk	.3519 per tonne
13.	Iron ore	.0527 per tonne
14.	Liquid products in bulk, not specified in this Schedule	.4045 per tonne
15.	Livestock	.7398 per animal
16.	Malt barley	.2023 per tonne
17.	Ores in bulk, not specified in this Schedule	.2023 per tonne
18.	Petroleum products, crude or refined, in bulk, that are: (a) gasoline products (b) other products	.2814 per tonne .1847 per tonne

ANNEXE I (article 3)

Article	Column I Marchandises	Column II Droits
1.	Automobiles, camions et tracteurs	0.7107 \$ le véhicule
2.	Bière, ale et porter	1.2751 la tonne métrique
3.	Ciment	0.3431 la tonne métrique
4.	Charbon—anthracite	0.0967 la tonne métrique
5.	Charbon—bitumineux	0.0967 la tonne métrique
6.	Conteneurs, à l'exclusion du contenu: (a) dont la longueur ne dépasse pas 7.62 mètres (b) dont la longueur dépasse 7.62 mètres	2.5054 le conteneur
7.	Coke	1.7581 la tonne métrique
8.	Crusate	0.1671 la tonne métrique
9.	Denrées sèches en vrac, non autrement désignées dans la présente annexe	0.4045 la tonne métrique
10.	Engrais et produits chimiques en vrac	0.4045 la tonne métrique
11.	Grains, légumes secs et maïs en vrac (autre que grains)	0.2461 la tonne métrique
12.	Gypse en vrac	0.3519 la tonne métrique
13.	Minerais de fer	0.0527 la tonne métrique
14.	Produits liquides en vrac, non autrement désignés dans la présente annexe	0.4045 la tonne métrique
15.	Bétail	0.7398 l'animal
16.	Orge maltée	0.2023 la tonne métrique
17.	Minerais en vrac, non autrement désignés dans la présente annexe	0.2023 la tonne métrique
18.	Produits pétroliers en vrac, bruts ou raffinés: (a) essences (b) autres produits	0.2814 la tonne métrique 0.1847 la tonne métrique

SCHEDULE I—Concluded

Item	Column I Goods	Column II Rates
19.	Salt in bulk	\$.1671 per tonne
20.	Sand	.0879 per tonne
21.	Scrap metal	.2023 per tonne
22.	Soya bean oil in bulk	.4045 per tonne
23.	Soya beans	.2023 per tonne
24.	Steel	.5619 per tonne
25.	Stone—crushed	.0879 per tonne
26.	Sugar—raw in bulk	.2023 per tonne
27.	Sulphur	.1055 per tonne
28.	Tar, tarvin and tar products	.1671 per tonne
29.	Wines, and spirituous liquors	4.0468 per tonne
30.	All commodities not specified in this Schedule	.4045 per tonne
31.	General cargo not specified in this Schedule that is: (a) exported or imported; or (b) for points within Canada	.6154 per tonne .2111 per tonne

ANNEXE I (suite et fin)

Article	Column I Marchandises	Column II Droits
19.	Sel en vrac	0,1671 \$ la tonne métrique
20.	Sable	0,0879 la tonne métrique
21.	Déchets métalliques	0,2023 la tonne métrique
22.	Huile de soya en vrac	0,4045 la tonne métrique
23.	Soya	0,2023 la tonne métrique
24.	Acier	0,5619 la tonne métrique
25.	Pierre concassée	0,0879 la tonne métrique
26.	Sucre brut en vrac	0,2023 la tonne métrique
27.	Soufre	0,1055 la tonne métrique
28.	Goudron, tarvin et produits du goudron	0,1671 la tonne métrique
29.	Vins et spiritueux	4,0468 la tonne métrique
30.	Denrées non autrement désignées dans la présente annexe	0,4045 la tonne métrique
31.	Marchandises générales non autrement désignées dans la présente annexe : a) exportées ou importées b) pour transport intérieur	0,6154 la tonne métrique 0,2111 la tonne métrique

SCHEDULE II
(Section 3)

Item	Column I Goods	Column II Volume	Column III Weight
	Gasoline	1,353 litres	1 tonne
	Fuel oil	1,127 litres	1 tonne
1.	Coal oil	1,228 litres	1 tonne
4.	Molasses	1 litre	1,297 kilograms
5.	Petroleum oil in bulk	1 litre	.798 kilograms

ANNEXE II
(article 3)

Article	Column I Cargaison	Column II Volume	Column III Poids
1.	Essence	1 353 litres	1 tonne métrique
2.	Mazout	1 127 litres	1 tonne métrique
3.	Huile lourde de bouille	1 228 litres	1 tonne métrique
4.	Melasse	1 litre	1,297 kilogramme
5.	Produits pétroliers en vrac	1 litre	0,798 kilogramme

REGULATORY IMPACT
ANALYSIS STATEMENT

(This statement is not part of the By-law.)

Description

This By-law revokes the *Hamilton Harbour Commissioners' Cargo Rates Tariff By-law* and makes a restated By-law which will reflect a consolidation of the original By-law as amended and increases cargo rates applicable at Hamilton Harbour by 5 percent which will produce an estimated increase in revenue of \$85,000.

Alternatives Considered

Alternatives to this By-law were not considered by the Hamilton Harbour Commissioners since review in detail of its financial position, including all sources of revenue, indicated that it is imperative that its Tariff of Cargo Rates be increased to maintain financial viability.

RÉSUMÉ DE L'ÉTUDE D'IMPACT
DE LA RÉGLEMENTATION

(Ce résumé ne fait pas partie du règlement.)

Description

Ce règlement abroge le *Règlement sur le tarif des droits de cargaison du port de Hamilton* et le remplace par un nouveau règlement qui représentera une codification du règlement original dans sa forme modifiée et augmentera le tarif des droits de cargaison au havre de Hamilton par 5 pour cent. Il est estimé que cette augmentation générera au moins 85 000 \$ en revenu.

Autres mesures envisagées

Les commissaires du havre de Hamilton n'ont pas envisagé d'autres mesures étant donné qu'une étude détaillée de la position financière de la Commission, comprenant toutes les sources de revenu, révèle qu'il est nécessaire que le tarif des droits de cargaison soit augmenté pour maintenir la viabilité financière.

Consistency with Regulatory Policy and Citizens' Code

This By-law is consistent with the Regulatory Policy and Citizens' Code. Early notice was provided through the 1990 Federal Regulatory Plan under No. 594-TC.

Anticipated Impact

This By-law affects port users only and will have a minor impact on them in that the tariff increases, in terms of dollar amounts, are minor in nature to port users. There will be no impact on market efficiency or employment. The By-law reflects increases in the Hamilton Harbour Cargo Rates Tariff which has not been adjusted since 1985 and has been subsidized by other revenue sources. Periodic increases in port charges are necessary to maintain the port's financial self-sufficiency and, thereby, maintain the port's level of service to port users.

Consultation

The harbour's major users have been informed of the anticipated increase in the Hamilton Harbour Cargo Rates Tariff. The proposed rate increase of 5 percent from the previous 1985 rate only compensates for inflation over the last year.

The subject Tariff By-law was prepublished in the *Canada Gazette Part I* on May 5, 1990, and the 30 day period allowed to the public in which to make comments concerning this initiative has expired. Following prepublication, no representations in support of or in opposition to this initiative were received.

Compliance Mechanism

The *Hamilton Harbour Commissioners' Act* permits the seizure and detention of the vessel and the seizure of goods until costs and charges incurred in respect thereof are paid in full.

For further information, contact:

R. R. Hennessy
Port Director
Hamilton Harbour Commissioners
605 James Street North
Hamilton, Ontario
L8L 1J9
(416) 525-4330

Conformité à la Politique de réglementation et au Code d'équité

Ce règlement est conforme à la Politique de réglementation et au Code d'équité. Un préavis a été donné dans les Projets de réglementation fédérale de 1990 au numéro 594-TC.

Répercussions prévisibles

Ce règlement touche les usagers du port seulement et n'aura qu'un effet mineur sur eux. Il n'y aura pas d'effet sur l'efficacité du marché ni sur l'emploi. Le règlement apporte une augmentation modeste au tarif des droits de cargaison du havre de Hamilton qui n'a pas été rajusté depuis 1985 et qui a dû être compensé par d'autres sources de revenu. Cette augmentation aidera à maintenir une auto-suffisance financière et préviendra l'érosion des droits du havre.

Consultation

Ceux qui utilisent le havre ont été déjà informés de ce plan d'augmenter le tarif des droits de cargaison du havre de Hamilton. L'augmentation de 5 pour cent, à partir des droits en 1985, ne fait que compenser le facteur inflationniste pour l'année écoulée.

La publication préalable, du règlement tarifaire en question, est parue dans la *Gazette du Canada Partie I* le 5 mai 1990 et la période de consultation publique de 30 jours est échu. Suite à la publication préalable, aucune représentation en appui ou en opposition, concernant cette initiative, n'a été reçue.

Mécanismes d'observance à prévoir

La *Loi des commissaires du havre de Hamilton* permet la saisie et la détention du navire et la confiscation des marchandises jusqu'à ce que les frais engagés soient entièrement payés.

Pour de plus amples renseignements, veuillez communiquer avec:

R. R. Hennessy
Directeur de port
Commissaires du havre de Hamilton
605, rue James nord
Hamilton (Ontario)
L8L 1J9
(416) 525-4330

5(b)

CITY CLERK'S DEPARTMENT

MEMORANDUM

TO: Kevin C. Christenson, Secretary
Transport and Environment Committee

YOUR FILE:

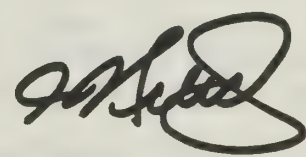
FROM: J. J. Schatz
City Clerk

OUR FILE:
PHONE: 546-2727

SUBJECT: Hamilton Harbour Commissioners
Windermere Basin Rehabilitation Project

DATE: 1993 April 28

For your information, please be advised that City Council at its meeting held 1993 April 27 referred the attached correspondence respecting the Hamilton Harbour Commissioners Windermere Basin Rehabilitation Project to the Transport and Environment Committee for consideration and a subsequent recommendation to City Council.



Attachment

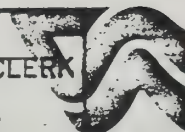
JJS:mjw

605 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Hamilton 525-4330
Toronto 1-800-263-2131
Telex 061-8638

Fax Numbers
Administration 528-6282
Terminal 525-7258

OFFICE OF THE CITY CLERK



The Hamilton
Harbour
Commissioners

MAR 02 1993

February 22, 1993

REC'D BY SA DATE.....

F.D. TO..... DATE.....

F.D. TO S.K.R. DATE.....

REF'D TO..... DATE.....

ACTION: CC. CAC/TREAS. REF.

REC. CHECK. / REC. EDWARD

The Corporation of the
City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

ATTENTION: MR. JOSEPH SCHATZ
CITY CLERK

SUBJECT: FINAL REPORT - WINDERMERE BASIN REHABILITATION
PROJECT - WRITTEN ON BEHALF OF WINDERMERE BASIN
FUNDING PARTNERS

Dear Sir:

Reference is made to the above project which was a cooperative effort by four levels of Government and The Hamilton Harbour Commissioners to clean up Windermere Basin in the east Harbour. The project was funded through a special five-party funding agreement of which each party contributed a specific portion of the funds required to complete the project.

Due to cost overruns, the funds generated by this agreement were insufficient to complete the scope of the project and this agreement expired on March 31, 1990 with the project remaining incomplete and the trust established to finance the project in a deficit position.

Subsequently The Commissioners, the Province and the Federal Government contributed \$523,000.00 in additional funding to advance the project as originally envisioned. In addition, The Board of Commissioners have also undertaken to complete certain portions of the project on its own and at its expense. The Commissioners have invested \$190,000.00 in capping the contaminated sediment and landscaping which is estimated to be completed by 1998. We are not seeking contributions towards these two amounts.

However, there remains one outstanding issue.

In October 1990, S. McNally & Sons, the main contractor for the project, launched a lawsuit against Public Works Canada, the agent for the original Five Funding Partners, claiming Breach of Contract and sought damages in the amount of \$400,000.00. This was the result of a contractual dispute over pay quantities, lost overhead and delay claims with Public Works Canada.

An out of court settlement was reached between Public Works Canada and S. McNally & Sons on July 3, 1992 in the amount of \$225,000.00 with additional expenses for staff time in the amount of \$35,091.04, totalling \$260,091.04. Although no Funding Partner was party to the negotiations of the settlement, The Commissioners, the Provincial and Federal Agencies accept the settlement solely to avoid further long and costly litigative procedures.

To date, the settlement and expenses related thereto remains outstanding. On behalf of the Funding Partners, of which The Commissioners are but one, we seek participation by the City and Region to cost-share this amount as follows:

Agency	Original Trust Fund Share	Contribution to Date	Additional Contribution	Final Proportion
Government of Canada	27.8%	\$1,359,570.18	\$28,870.20	27.4%
Province of Ontario	27.8%	\$1,357,362.01	\$28,870.19	27.3%
Region of of Ham.-Went.	16.7%	\$ 750,000.00	\$94,943.27	16.7%
City of Hamilton	16.7%	\$ 750,000.00	\$94,943.26	16.7%
Hamilton Harbour Commissioners	<u>11.0%</u>	<u>\$ 592,636.32</u>	<u>\$12,464.13</u>	<u>11.9%</u>
TOTAL	100%	\$4,809,568.51	\$260,091.04	100%

The additional contribution set forth above will bring the City and Region's contribution towards the project to their full proportionate share as set out in our original funding agreement.

We therefore respectfully request both Regional and City Council to give consideration to contributing \$94,943.26 each towards this outstanding amount. Upon receipt of these funds, it will then be possible to wind up the Windermere Basin Rehabilitation Project Trust Fund.

All other parties have made commitments to the above cost-sharing proposal.

Yours truly,

THE HAMILTON HARBOUR COMMISSIONERS

72A
R.R. HENNESSY, P. ENG.,
PORT DIRECTOR

RAE:jg
WP H:UG\RAE\RAE.436



CITY COUNCIL
HAMILTON, CANADA

Alde

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 528-2009 - WARD 2

6.

30 March 1993

RECEIVED

MAR 30 1993

Mr. K. Christenson, Secretary
Transport & Environment Committee

CITY CLERKS

RE: INTERSECTION OF DUKE & HESS ST. S.

Dear Mr. Christenson:

Further to Mr. Main's report of January 22, 1993 regarding the above noted matter, please be advised that I wish to have this item placed on the agenda of the Committee.

Please include this whole package with the agenda for the information of the Committee members.

Would you please also advise Mr. Hume of the date and time of the meeting so that he may appear.

Thank you for your cooperation in this important matter.

Sincerely,

Vince Agro
Alderman, Ward 2

VJA:sn

Attch.

c.c. Mr. D. Hume, 186 Duke Street, Hamilton, L8P 1Y2



THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

TRAFFIC DEPARTMENT

Your File: Mr. D. Hume

1993 January 22

Alderman Vince Agro
c/o Aldermen's Offices
City Hall

Re: Intersection of Duke Street and Hess Street South - Intersection Control

Dear Sir:

Thank you for your letter dated 1993 January 8, and for the attached copy of a letter from Mr. David Hume, 186 Duke Street. You asked that we address the concerns expressed in his letter and to have this matter placed on the next agenda of the Transport and Environment Committee for discussion. Staff have investigated this matter and have the following report:

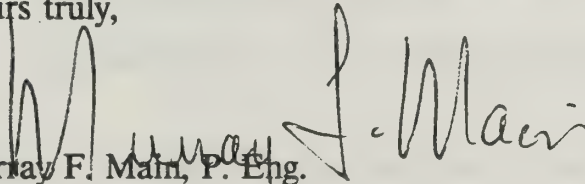
1. Mr. Hume stated that our previous report did not include collisions of a minor nature, near misses or those involving pedestrians. He is correct about near misses since they are not collisions. There have been no reported pedestrian collisions at this intersection in at least the past seven years. Any collision which caused more than \$700.00 damage or where personal injury occurred was included in our previous response.
2. We mentioned that a "number of collisions involved motorists travelling the wrong way on Duke". Our investigations revealed that all necessary signing is in place and it is concluded that these motorists are intentionally driving the wrong way to avoid a circuitous travel pattern due to the one-way streets as a matter of convenience.
3. Mr. Hume suggested that we acknowledged that the stop signs for westbound traffic on Duke Street at Hess Street are not visible or placed properly. This is not true, and in fact our 1991 December 04 letter does not mention the placement of the stop signs in any way. There are 30" right and left hand stop signs which are clearly visible and placed properly.
4. The number of reported collisions has been reduced by one in each of the past five years (ie.; six in 1988, five in 1989, four in 1990, three in 1991 and only two in 1992). Implementing all-way stop control may actually increase the number of collisions due to the traffic signals which are located only 750 feet north and south of the subject

intersection and the fact that there are no stop signs on Hess Street between Herkimer Street and York Boulevard.

In view of the above, we must again advise that we do not support the request for all-way stop control at this location. However, if after reviewing the letter you still wish to place this matter on the next Transport and Environment Committee agenda, please advise and we will prepare a report for the Transport and Environment Committee meeting scheduled for 1992 March 1.

We trust this is satisfactory to you.

Yours truly,



Murray F. Main, P. Eng.
Director of Traffic Services


CVB/MH/ca

cc: Chris van Berkel, Traffic Legislative Coordinator
Kevin Christenson, Secretary, Transport & Environment Committee
Alderman Henry Merling, Chairman, Transport and Environment Committee

COPY TO MR. HUME FROM ALDERMAN VINCE AGRO



CITY COUNCIL
HAMILTON, CANADA

Alderman Vince Agro

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 528-2009 - WARD 2

8 January 1993

Mr. M. Main
Director of Traffic Services

Dear Mr. Main:

RE: INTERSECTION OF DUKE & HESS STREET SOUTH - INTERSECTION CONTROL

Further to your letter of November 16, 1992 with respect to the above, I am enclosing a letter received from Mr. David Hume in regards to this matter.

Could you please address his concerns and arrange to have this matter placed on the agenda of the Transport & Environment Committee for discussion.

Would you please advise me in writing when this matter will be discussed by the Committee so that I may keep Mr. Hume informed.

Thank you for your cooperation and I look forward to your reply.

Sincerely,

Vince Agro
Alderman, Ward 2

VJA:sn

Encl.

c.c. Alderman H. Merling, Chairman, Transport & Environment Committee
Mr. K. Christenson, Secretary, Transport & Environment Committee
Mr. D. Hume, 186 Duke Street, Hamilton, L8P 1Y2

January 06, 1993

ALDERMAN VINCE AGRO
c/o Alderman's Office's
City Hall

Re: Murray Main's letter December 04, 1991 and subsequent reply November 16, 1992

Intersections: Duke Street and Hess Street – Intersection Control

There are a number of issues which we believe should be pointed out:

1. While the traffic department acknowledges an average of 4.1 collisions per year, this does not obviously include those of a minor nature or near misses or those involving pedestrians. Health costs, insurance claims, property damage, loss of income etc. for those eight potential victims involved on "average" surely must warrant the cost of erection of a sign and post.
2. If in fact vehicles are travelling in the wrong direction on Duke, then the Traffic Department has not done their job; proper signage and its placement is in fact the responsibility of the Traffic Department and since you have acknowledged a problem here, why has this problem not been fixed?
3. Vehicles sideswiping others turning from Hess on to Duke will be eliminated with a STOP at Duke Street. Again, the problem is speed – ie. trying to go around the corner too fast.
4. "Motorists not stopping for the existing stop sign on Duke" – again, if the signs are not visible enough, or their placement is inadequate OR both – which you acknowledge – let's fix it.

I think you will agree, after carefully considering the above that an "All-way" stop control would most definitely be the most effective method to slow the pattern down, thus avoiding all of the problems mentioned above.

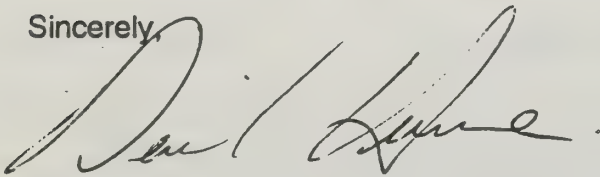
5. With respect to your concern about a high violation rate in Paragraph 3 – with the proper warning signs for a new stop at Duke and Hess and with the proper signage for an All-way stop, its hard to believe motorist wouldn't stop. Every motorist is confronted with "New Stop" instructions everyday – in this city and every other city I can think of, and if I as a motorist chooses to ignore the signs, I would fully expect to pay the consequences.
6. Regarding your Chapter 4 – let's synchronize the lights so an "attempt to make the light" scenario does not exist, as well, erecting the necessary stop signs will surely do the trick.

In summary, the only method we residents on Hess (on or near the corner of Duke) can see to stop the virtual "Highway conditions" that exist will be to erect an "All-way" stop control at this intersection. Remembering this is a combined low, medium and high density area, the effects being a lot of pedestrian traffic, as well as Ryerson Middle School just a block to the west with children crossing this very busy, very fast road, most of them four times a day. When you witness cars on your lawn through your hedge, against your house, snapping hydro poles or buses crashing into houses, the results being people lying on your lawn or on the sidewalk or road waiting for medical attention, you very quickly come to the realization that something has to be done and done very quickly, before more people are hurt or "worse".

Let's "try" an "All-way" stop control for 6 months or a year and measure its effectiveness. All the residents agree. This has to be done!!!

Please consider the above very carefully - it's for everybody's well being.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Hume". The signature is fluid and stylized, with a large initial "D" and a long, sweeping underline.

David Hume

DH/jr



THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

TRAFFIC DEPARTMENT

Your File: Mr. D. Hume

1992 November 16

*next
T & E
comm. Hume*

Alderman Vince Agro
c/o Aldermen's Offices
City Hall

Re: Intersection of Duke Street and Hess Street South - Intersection Control

Dear Sir:

We refer to your letter dated 1992 November 11, in which you requested that we investigate the feasibility of implementing four-way stop control at the above-mentioned intersection.

You may recall that we reported to you respecting this matter on 1991 December 4, a copy of this report is attached for your information and we must advise that our position respecting this matter has not changed.

We trust this is satisfactory to you.

Yours truly,

Murray F. Main
Murray F. Main, P. Eng.
Director of Traffic Services
CVB
CVB/MH/ca

Attach.

COPY TO MR. HUME FROM ALDERMAN VINCE AGRO

DEC 10 1991



THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

TRAFFIC DEPARTMENT

1991 December 4

Your File: Mr. David Hume

Alderman Vince Agro
c/o Aldermen's Offices
City Hall

Re: Intersection of Duke Street and Hess Street - Intersection Control

We refer to your letter dated 1991 November 01, advising of concerns regarding the speed of traffic on Hess and in which you requested that four-way stop control be implemented at the intersection of Duke and Hess. Staff have investigated this request and have the following report:

The subject intersection is a four-leg intersection of two one-way streets, and presently, westbound traffic on Duke is required to stop for northbound traffic on Hess. Traffic Department records indicate that the intersection has experienced an average of 4.1 collisions per year over the past eight years. This is not a favourable collision record for this type of intersection. However, a number of these collisions were caused by vehicles travelling the wrong way on Duke, vehicles sideswiping other vehicles when attempting to turn onto Duke from Hess and by motorists not stopping for the existing stop sign on Duke. All-way stop control would not have prevented many of these collisions from occurring.

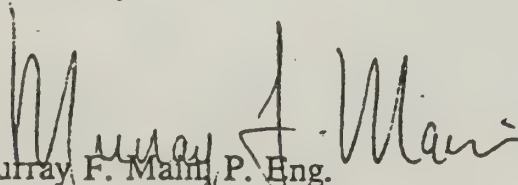
There are no stop signs on Hess between Herkimer and York, a distance of approximately 0.82 miles. Erecting stop signs at Hess and Duke would likely result in a high violation rate since motorists would not be expecting to stop at this location.

Most importantly, there are traffic signals approximately 750 feet north and 750 feet south of the subject intersection. Experience in Hamilton has proven that the erection of stop signs within 1,000 feet of a traffic signal creates a conflict for the motorists, in that the motorist "attempting to make the light" fails to observe the stop sign. This has been a documented cause of collisions at other locations, and should be avoided in all cases.

For the above-noted reasons, the Traffic Department does not support the request for all-way stop control at this location.

We trust that these comments will be of assistance.

Yours truly,


Murray F. Mann, P. Eng.
Director of Traffic Services
CVB/MH/ca

I don't agree with that
tin.

NEWS DIGEST

Man hit by van

SPEC.

Nov 10/92

A 60-YEAR-OLD man is in hospital after being struck by a van rebounding from a collision with another car.

Larry Cunningham of Hess Street South is in satisfactory condition in the intensive care unit of Hamilton General Hospital.

The accident occurred at about 10 a.m. yesterday in the intersection of Hess and Hunter streets.

Police said a van travelling west on Hunter Street was in collision with a car northbound on Hess.

Mr. Cunningham has hit as he crossed Hunter Street.

NOV 16 1992

SHARONSTEEL

SHARON STEEL CORPORATION

FARRELL, PENNSYLVANIA 16121

TELEPHONE (412) 981-1375

D. M. HUME

NOV 12 1992

Uncle

It was good to see you &
Matthew's Saturday night.

The news clipping enclosed is typical
of what goes on with respect to traffic
and speed on the stretch of Hess
between Charleston and Kenton. My neighbor
John is in agreement that sooner or
later, someone is going get killed on this
stretch of Hess - In a matter speaking - this
guy was lucky!!

Please, for everybody's safety, do what
has to be done to get stop signs installed at
the Duke St. intersection.



CITY COUNCIL
HAMILTON, CANADA

Alderman Vince Agro

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 528-2009 - WARD 2

11 November 1992

Mr. M. Main
Director of Traffic Services

Dear Mr. Main:

Once again I have been contacted about a four-way stop at the intersection of Duke and Hess Streets.

Could you please investigate this and report back to me on the feasibility of implementing a four-way stop.

Thank you for your cooperation in this important matter.

Sincerely,

Vince Agro
Alderman, Ward 2

VJA:sn

c.c. Mr. D. Hume, 186 Duke Street, Hamilton, L8P 1Y2



THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

TRAFFIC DEPARTMENT

Your File: Mr. David Hume

1991 December 4

Alderman Vince Agro
c/o Aldermen's Offices
City Hall

Re: Intersection of Duke Street and Hess Street - Intersection Control

We refer to your letter dated 1991 November 01, advising of concerns regarding the speed of traffic on Hess and in which you requested that four-way stop control be implemented at the intersection of Duke and Hess. Staff have investigated this request and have the following report:

The subject intersection is a four-leg intersection of two one-way streets, and presently, westbound traffic on Duke is required to stop for northbound traffic on Hess. Traffic Department records indicate that the intersection has experienced an average of 4.1 collisions per year over the past eight years. This is not a favourable collision record for this type of intersection. However, a number of these collisions were caused by vehicles travelling the wrong way on Duke, vehicles sideswiping other vehicles when attempting to turn onto Duke from Hess and by motorists not stopping for the existing stop sign on Duke. All-way stop control would not have prevented many of these collisions from occurring.

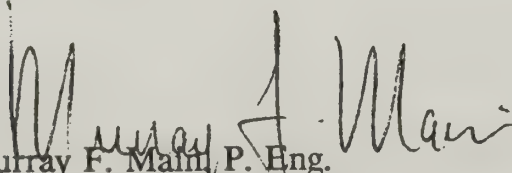
There are no stop signs on Hess between Herkimer and York, a distance of approximately 0.82 miles. Erecting stop signs at Hess and Duke would likely result in a high violation rate since motorists would not be expecting to stop at this location.

Most importantly, there are traffic signals approximately 750 feet north and 750 feet south of the subject intersection. Experience in Hamilton has proven that the erection of stop signs within 1,000 feet of a traffic signal creates a conflict for the motorists, in that the motorist "attempting to make the light" fails to observe the stop sign. This has been a documented cause of collisions at other locations, and should be avoided in all cases.

For the above-noted reasons, the Traffic Department does not support the request for all-way stop control at this location.

We trust that these comments will be of assistance.

Yours truly,


Murray F. Mann, P. Eng.
Director of Traffic Services
CVB/MH/ca

COPY TO MR. HUME FROM ALDERMAN VINCE AGRO

BOLD ST.

DUKE ST

ROBINSON ST.

QUEEN ST.

SOUTH

STREET

PARKING
AREA

GAS PUMP

145
100
13

165
150
18

DE-3/S-
828a

137

207
205
203

183
185
187
189
191
193
195
197
199
201

OUT

IN

191
189
187

180
182
184
186
188
190
192
194
196
198



CITY COUNCIL
MILTON, CANADA

file
Alderman Vince Agro

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 528-2009 - WARD 2

1991 Noember 1

Mr. Murray Main
Director
Traffic Department

Dear Mr. Main:

It is my understanding that there is a petition forthcoming requesting a four-way stop at the intersection of Duke Street Hess Street South. I have investigated this situation myself and because of the slope in the road along Hess Street South, vehicles do travel extremely fast. The situation is unquestionably hazardous and I would ask that this would be made into a four-way stop.

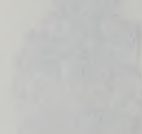
Please investigate and report to me on this very important matter.

Yours sincerely,

Vince Agro, Alderman
Ward 2

VJA:sma

c.c. Mr. David Hume
186 Duke Street
Hamilton, Ontario
L8P 1Y2



CITY OF TORONTO
 OFFICE OF THE CITY CLERK

Alfred W. Allen

TO WHOMSOEVER IT MAY CONCERN

1911 January 1

Mr. Murray Hall
 Director
 Traffic Department
 Dear Mr. Hall:

It is my understanding that there is a petition circulating requesting a four-way stop at the intersection of York Street and Bloor Street West. I have investigated this situation and believe that the petition is unfounded. The intersection is a four-way stop and I would like to state that this is a very important matter.

Please investigate and report to me as this is a very important matter.

Yours sincerely,

Alfred W. Allen

Witness

C. C. W. David Hall
 151 York Street
 Toronto, Ontario
 1911



HAMILTON PUBLIC LIBRARY



3 2022 21334434 0